

**Elhady Plaintiffs
MSJ Exhibit 1**



Deposition of:
Anas Elhady

February 22, 2018

In the Matter of:
Elhady vs. Kable

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

ANAS ELHADY, et al.,

Plaintiffs,

Case No.

v.

1:16-CV-375

CHARLES H. KABLE, et al.,

(AJT/JFA)

Defendants.

DEPOSITION OF ANAS ELHADY

DATE: Thursday, February 22, 2018

TIME: 10:05 a.m.

LOCATION:

U.S. Department of Justice

20 Massachusetts Avenue, N.W.

Washington, DC 20001

REPORTED BY: Casey Smith

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<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES</p> <p>2 On behalf of Plaintiffs:</p> <p>3 LENA MASRI, ESQUIRE</p> <p>4 Council on American-Islamic Relations (CAIR)</p> <p>5 453 New Jersey Avenue, S.E.</p> <p>6 Washington, DC 20003</p> <p>7 (202) 640-4934</p> <p>8 lmasri@cair.com</p> <p>9</p> <p>10 On behalf of Defendants:</p> <p>11 ANTONIA KONKOLY, ESQUIRE</p> <p>12 U.S. Department of Justice</p> <p>13 20 Massachusetts Avenue, N.W.</p> <p>14 Washington, DC 20001</p> <p>15 (202) 514-2395</p> <p>16 antonia.konkoly@usdoj.gov</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	<p style="text-align: right;">Page 4</p> <p>1 PROCEEDINGS</p> <p>2 WHEREUPON,</p> <p>3 ANAS ELHADY</p> <p>4 was called as a witness, and having been sworn, was</p> <p>5 examined and testified as follows:</p> <p>6 EXAMINATION BY COUNSEL FOR DEFENDANTS</p> <p>7 BY MS. KONKOLY:</p> <p>8 Q Good morning, Mr. Elhady.</p> <p>9 A Good morning.</p> <p>10 Q My name is Toni Konkoly. I'm an attorney for</p> <p>11 the Department of Justice. I represent the defendants</p> <p>12 in this lawsuit. I'll be taking your deposition</p> <p>13 today. Before we get started, I just have some</p> <p>14 instructions to go over with you, to make sure that</p> <p>15 you understand how this will work. So first, do you</p> <p>16 understand that you're under oath?</p> <p>17 A Yes.</p> <p>18 Q Okay, and were -- one of the purposes of what</p> <p>19 we're doing here today is to create a transcript that</p> <p>20 we can submit to the Court later. So it's important</p> <p>21 that we create a clear transcript, and so one of the</p> <p>22 things that can get in the way of that is when we talk</p>
<p style="text-align: right;">Page 3</p> <p>1 CONTENTS</p> <p>2 EXAMINATION BY: PAGE</p> <p>3 By Ms. Konkoly 4</p> <p>4 By Ms. Masri 267</p> <p>5</p> <p>6 EXHIBITS</p> <p>7 NO. DESCRIPTION PAGE</p> <p>8 Exhibit A Complaint 26</p> <p>9 Exhibit D Answers to interrogatories 29</p> <p>10 Exhibit F Answers to interrogatories 33</p> <p>11 Exhibit G Travel inquiry form 26</p> <p>12 Exhibit H Copy of passport 199</p> <p>13 Exhibit K (Not described) 198</p> <p>14 (*Exhibits attached to transcript.)</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p style="text-align: right;">Page 5</p> <p>1 over each other or if you gave an answer, you know.</p> <p>2 Like an uh-huh doesn't translate well, or if you nod</p> <p>3 your head the transcript's not going to pick that up.</p> <p>4 So I need you to number one, wait until I'm</p> <p>5 finished speaking to provide your answer, and then I</p> <p>6 need you to provide audible answers, like a yes or a</p> <p>7 no instead of shaking your head or saying "uh-huh."</p> <p>8 Do you understand?</p> <p>9 A Yes.</p> <p>10 Q Okay. If you don't understand a question</p> <p>11 that I ask you, you can ask me to clarify. If you</p> <p>12 answer the question, I'm going to assume that you did</p> <p>13 understand it. Do you understand that?</p> <p>14 A Yes.</p> <p>15 Q Okay. Is there any reason that you cannot</p> <p>16 answer my questions truthfully and accurately today?</p> <p>17 A There is not, no.</p> <p>18 Q Okay. Have you taken any medications in the</p> <p>19 last 48 hours?</p> <p>20 A No.</p> <p>21 Q Have you consumed any alcohol in the last 48</p> <p>22 hours?</p>

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<p style="text-align: right;">Page 6</p> <p>1 A No.</p> <p>2 Q Have you consumed any other illegal drugs in</p> <p>3 the last 48 hours?</p> <p>4 A No.</p> <p>5 Q Okay. Did you prepare for this deposition?</p> <p>6 A Yes.</p> <p>7 MS. MASRI: I'm going to only -- for the next</p> <p>8 line of questioning, I'm going to instruct you not to</p> <p>9 answer in a way that divulges any attorney-client</p> <p>10 privileged information. But if she asks regarding</p> <p>11 your preparation, answer anything else besides your</p> <p>12 discussions with us.</p> <p>13 THE WITNESS: Okay.</p> <p>14 BY MS. KONKOLY:</p> <p>15 Q Have you talked to anyone besides your lawyer</p> <p>16 in preparing for this deposition?</p> <p>17 A No.</p> <p>18 Q Did you review any documents to prepare for</p> <p>19 this deposition?</p> <p>20 A No.</p> <p>21 Q Have you ever been deposed before?</p> <p>22 A No.</p>	<p style="text-align: right;">Page 8</p> <p>1 Q Do you recall which?</p> <p>2 A 2000, my first time coming here was --</p> <p>3 MS. MASRI: Only answer what you know.</p> <p>4 THE WITNESS: Yeah. Between 2002 and 2003.</p> <p>5 I'm not sure.</p> <p>6 BY MS. KONKOLY:</p> <p>7 Q Okay. You said your first time. Was that</p> <p>8 not a permanent move to the United States?</p> <p>9 A I came back -- I went back and came like many</p> <p>10 times after that.</p> <p>11 Q When you moved to the United States from</p> <p>12 Yemen in 2002 or 2003, was that a permanent relocation</p> <p>13 to the United States?</p> <p>14 A Yes.</p> <p>15 Q Did you come with your family?</p> <p>16 A Yes.</p> <p>17 Q Okay, and when did you become a citizen?</p> <p>18 A Since the day I was born. That's my only</p> <p>19 citizenship.</p> <p>20 Q So you were born in Yemen?</p> <p>21 A Yes.</p> <p>22 Q But you were born an American citizen?</p>
<p style="text-align: right;">Page 7</p> <p>1 Q Can you please state and spell your full name</p> <p>2 for the record?</p> <p>3 A My first name A-N-A-S, last name E-L-H-A-D-Y.</p> <p>4 Q Have you ever used any other spellings of</p> <p>5 your name?</p> <p>6 A No.</p> <p>7 Q Have you used any other names for any purpose</p> <p>8 since you turned 18?</p> <p>9 A No.</p> <p>10 Q What is your date of birth?</p> <p>11 A [REDACTED]</p> <p>12 Q And where were you born?</p> <p>13 A In Sanaa, Yemen.</p> <p>14 Q Is that Yemen?</p> <p>15 A Yes.</p> <p>16 Q Can you spell that for the record, for the</p> <p>17 court reporter?</p> <p>18 A Sanaa, S-A-N-A-A, and Yemen, Y-E-M-E-N.</p> <p>19 Q Are you a U.S. citizen?</p> <p>20 A Yes.</p> <p>21 Q When did you move to the United States?</p> <p>22 A First time I came in 2002 or '03.</p>	<p style="text-align: right;">Page 9</p> <p>1 A My dad's a U.S. citizen.</p> <p>2 Q Okay. Do you have citizenship anywhere else?</p> <p>3 A No.</p> <p>4 Q You're not a citizen of Yemen?</p> <p>5 A No.</p> <p>6 Q Okay, and where do you currently reside?</p> <p>7 A What does that mean?</p> <p>8 Q Where do you live?</p> <p>9 A [REDACTED]</p> <p>10 Q Okay. How long have you lived there?</p> <p>11 A I don't recall. Like between -- around four</p> <p>12 years.</p> <p>13 Q Okay. Have you been in Dearborn for longer</p> <p>14 than that?</p> <p>15 A No.</p> <p>16 Q When you first moved to the United States in</p> <p>17 2002 or 2003, what part of the United States did you</p> <p>18 move to?</p> <p>19 A To Michigan, Hamtramck City.</p> <p>20 Q To what city?</p> <p>21 A Hamtramck.</p> <p>22 Q Can you spell that?</p>

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<p style="text-align: right;">Page 10</p> <p>1 A I don't know the spelling of it.</p> <p>2 Q Can you guess?</p> <p>3 A H-A-M-T-R-M-E-C-K.</p> <p>4 Q Is that near Detroit?</p> <p>5 A Yes.</p> <p>6 Q Okay. Have you been in the Detroit area for</p> <p>7 the entirety of the time that you've lived in the</p> <p>8 United States?</p> <p>9 A Not living.</p> <p>10 Q Okay. Where else have you lived?</p> <p>11 A I lived in Ohio.</p> <p>12 Q Okay, where in Ohio?</p> <p>13 A Toledo.</p> <p>14 Q Toledo. When did you live in Toledo?</p> <p>15 A 2000, around 2012.</p> <p>16 Q How long were you there?</p> <p>17 A For about eight months.</p> <p>18 Q Okay. Why did you move to Toledo?</p> <p>19 A Because I went back to Yemen; then I came</p> <p>20 back and lived there with my family.</p> <p>21 Q Your family had moved to Toledo?</p> <p>22 A I lived with my uncle in Toledo.</p>	<p style="text-align: right;">Page 12</p> <p>1 you lived in Detroit for the entire time that you've</p> <p>2 been a United States resident?</p> <p>3 A No.</p> <p>4 Q Okay. Where else have you lived?</p> <p>5 A Nowhere, just Toledo, then Dearborn.</p> <p>6 Q Okay, and is Dearborn near Detroit?</p> <p>7 A It's near Detroit, yeah.</p> <p>8 Q Okay. So aside from Toledo, since you've</p> <p>9 been a U.S. resident, have you lived only in the</p> <p>10 Detroit area?</p> <p>11 A I don't understand that.</p> <p>12 MS. MASRI: I'm going to object, just that</p> <p>13 it's mischaracterizing prior testimony. He testified</p> <p>14 that he lived in Hamtramck as well.</p> <p>15 BY MS. KONKOLY:</p> <p>16 Q Okay. I understood that to be in the Detroit</p> <p>17 area; is that correct, Hamtramck?</p> <p>18 A Hamtramck is a different city.</p> <p>19 Q Okay. Is it near Detroit?</p> <p>20 A It's near Detroit.</p> <p>21 Q Okay. So you came to the United States in</p> <p>22 2002 or 2012, and aside from this time when you went</p>
<p style="text-align: right;">Page 11</p> <p>1 Q With your uncle, for eight months?</p> <p>2 A Yes.</p> <p>3 Q Were you working while you were there?</p> <p>4 A No.</p> <p>5 Q Were you in school?</p> <p>6 A When I was in Toledo?</p> <p>7 Q When you were in Toledo.</p> <p>8 A No.</p> <p>9 Q Okay. What's the highest level of education</p> <p>10 you've attained?</p> <p>11 A Associate.</p> <p>12 Q Associate's degree?</p> <p>13 A Yes.</p> <p>14 Q From where?</p> <p>15 A Henry Ford College.</p> <p>16 Q And what is that degree in?</p> <p>17 A Criminal Justice, law enforcement.</p> <p>18 Q Okay. Aside from the eight months you lived</p> <p>19 in Toledo, since you've been resident in the United</p> <p>20 States, have you been in the Detroit area?</p> <p>21 A I'm sorry, can you repeat that?</p> <p>22 Q Aside from the eight months in Toledo, have</p>	<p style="text-align: right;">Page 13</p> <p>1 to Toledo for about eight months, has the rest of the</p> <p>2 time you've been living in the United States have you</p> <p>3 been in or near Detroit?</p> <p>4 A It seems like you're repeating the same</p> <p>5 question.</p> <p>6 Q I'm just trying to get your answer. I didn't</p> <p>7 understand earlier.</p> <p>8 A Okay. Came to Hamtramck. That's not</p> <p>9 Detroit. Went back to Yemen. Came back to Toledo,</p> <p>10 then went back. Then came back to Dearborn. I don't</p> <p>11 see where Detroit is there.</p> <p>12 Q The Detroit area, Greater Detroit?</p> <p>13 A Okay.</p> <p>14 Q Yes.</p> <p>15 A In between 2002 and 2003. That wasn't the</p> <p>16 Greater Area, which is Hamtramck.</p> <p>17 Q Okay. Aside from Toledo, have you ever lived</p> <p>18 in any other -- the time you spent in Toledo, Ohio,</p> <p>19 have you ever lived in any other state besides</p> <p>20 Michigan while you've been a United States resident?</p> <p>21 A No.</p> <p>22 Q Okay. Are you currently employed?</p>

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Page 14	Page 16
<p>1 A Yes.</p> <p>2 Q Where do you work?</p> <p>3 A Work for Centria Healthcare.</p> <p>4 Q Century?</p> <p>5 A Centria.</p> <p>6 Q Centria?</p> <p>7 A Yes.</p> <p>8 Q What do you do?</p> <p>9 A Applied behavior technician.</p> <p>10 Q Okay.</p> <p>11 A And also work for the U.S. Security</p> <p>12 Association.</p> <p>13 Q Okay, and what does an applied behavior</p> <p>14 technician do?</p> <p>15 A Technician apply the behavior, analysis of</p> <p>16 the behavior of autistic kids.</p> <p>17 Q Autistic kids?</p> <p>18 A Yes.</p> <p>19 Q Okay, and you said you also worked for, I'm</p> <p>20 sorry. What was the name of your second employer?</p> <p>21 A U.S. Security Association.</p> <p>22 Q Okay, and what do you there?</p>	<p>1 A November 2017.</p> <p>2 Q Okay, until?</p> <p>3 A Until December, end of December.</p> <p>4 Q 2017?</p> <p>5 A Yes.</p> <p>6 Q So just two months?</p> <p>7 A Yes.</p> <p>8 Q Okay. You said you also worked at Henry Ford</p> <p>9 College?</p> <p>10 A Correct.</p> <p>11 Q What did you do there?</p> <p>12 A College mentor, did a mentor --</p> <p>13 Q Okay, and what were the dates of that</p> <p>14 employment?</p> <p>15 A I do not recall.</p> <p>16 Q Can you estimate?</p> <p>17 A From 2016 until 2017.</p> <p>18 Q Right after you graduated?</p> <p>19 A Sure.</p> <p>20 Q Okay. What other jobs have you held since</p> <p>21 graduation from Henry Ford?</p> <p>22 A Worked for So Sweet Pastries in Toledo.</p>
Page 15	Page 17
<p>1 A Security supervisor.</p> <p>2 Q Can you describe that?</p> <p>3 A Security supervisor at DMC hospital.</p> <p>4 Q Are you a security guard?</p> <p>5 A Yes.</p> <p>6 Q Okay, at a hospital?</p> <p>7 A Correct.</p> <p>8 Q Okay. Are both of those jobs part-time?</p> <p>9 A Yes.</p> <p>10 Q Okay. What year did you graduate from Henry</p> <p>11 Ford?</p> <p>12 A My associate? In 2016.</p> <p>13 Q Okay, and have you held any other jobs other</p> <p>14 than the ones we've already discussed since that time?</p> <p>15 A A lot, yes.</p> <p>16 Q Okay. Where else have you been employed?</p> <p>17 A I do not recall all of them, but I'll mention</p> <p>18 the one I remember, which is Amazon.</p> <p>19 Q What did you do for Amazon?</p> <p>20 A Warehouse storatoin, basically store their</p> <p>21 warehouse, and also employed at Henry Ford College.</p> <p>22 Q When did you work at Amazon?</p>	<p>1 Q A pastry?</p> <p>2 A Yes.</p> <p>3 Q Okay. I thought you said earlier that you</p> <p>4 weren't employed while you were in Toledo?</p> <p>5 A This is after.</p> <p>6 Q Is this a bakery?</p> <p>7 A Yes.</p> <p>8 Q In Toledo?</p> <p>9 A Yes.</p> <p>10 Q Were you living in Toledo at the time that</p> <p>11 you worked at this bakery?</p> <p>12 A No.</p> <p>13 Q Okay. Where were you living while you worked</p> <p>14 at the Toledo bakery?</p> <p>15 A I'm sorry?</p> <p>16 Q Where were you living while you worked at the</p> <p>17 bakery in Toledo?</p> <p>18 A In Dearborn.</p> <p>19 Q Okay. How long of a commute is that?</p> <p>20 A Forty minutes.</p> <p>21 Q Okay. What were the dates of your employment</p> <p>22 with the bakery?</p>

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<p style="text-align: right;">Page 18</p> <p>1 A I don not recall.</p> <p>2 Q It was after you left Dearborn, or I'm sorry,</p> <p>3 after you left Toledo?</p> <p>4 A Yes.</p> <p>5 Q Okay. Any other jobs since you've graduated</p> <p>6 from Henry Ford?</p> <p>7 A There is, but I do not remember right now. I</p> <p>8 worked at a gas station also. I do not remember the</p> <p>9 dates. It was on and off.</p> <p>10 Q Okay. Where was the gas station?</p> <p>11 A 13 and Hoover, Warren City, Michigan.</p> <p>12 Q Near Detroit?</p> <p>13 A Yes.</p> <p>14 Q Okay. Are you married?</p> <p>15 A Yes.</p> <p>16 Q Okay. When did you get married?</p> <p>17 A July 21st, 2017.</p> <p>18 Q Do you have any social media accounts?</p> <p>19 A Yes.</p> <p>20 Q Okay, which ones?</p> <p>21 A Instagram, Facebook, Snapshot, Twitter. If</p> <p>22 there is any other ones, I do not -- I probably set</p>	<p style="text-align: right;">Page 20</p> <p>1 Q When did you graduate from high school?</p> <p>2 A 2011.</p> <p>3 Q Did you have Facebook while you were in high</p> <p>4 school?</p> <p>5 A I do not recall.</p> <p>6 Q When did you set up your Snapshot account?</p> <p>7 A I do not recall.</p> <p>8 Q Do you recall if you had while you were at</p> <p>9 college at Henry Ford?</p> <p>10 A No.</p> <p>11 Q That you don't recall or you --</p> <p>12 A I do not recall.</p> <p>13 Q Okay. So that's an example of please wait</p> <p>14 until I finish my question before you answer.</p> <p>15 A Okay.</p> <p>16 Q Okay. So my question was, do you not recall</p> <p>17 whether you had Snapshot at Henry Ford, or was your</p> <p>18 -- did your no indicate that you did not have it?</p> <p>19 A I do not recall.</p> <p>20 Q Okay. Do you remember when you set up your</p> <p>21 Twitter account?</p> <p>22 A I do not remember.</p>
<p style="text-align: right;">Page 19</p> <p>1 them up and never used them.</p> <p>2 Q Okay. When did you set up your Instagram</p> <p>3 account?</p> <p>4 A I do not remember.</p> <p>5 Q Was it before or after you graduated from</p> <p>6 Henry Ford?</p> <p>7 A I do not recall.</p> <p>8 Q How often do you post to Instagram?</p> <p>9 A There's not a certain, you know, days to</p> <p>10 post. Whenever there's something to post, I'll post</p> <p>11 it.</p> <p>12 Q Do you remember when you set up your Facebook</p> <p>13 account?</p> <p>14 A No.</p> <p>15 Q Do you remember whether you had it while you</p> <p>16 were a student at Henry Ford?</p> <p>17 A I had it when I was a student, yes.</p> <p>18 Q Okay. Did you have it before you started at</p> <p>19 Henry Ford?</p> <p>20 A Yes.</p> <p>21 Q Okay, and when did you start at Henry Ford?</p> <p>22 A 2013.</p>	<p style="text-align: right;">Page 21</p> <p>1 Q Did you have it while you were at Henry Ford?</p> <p>2 A I do not recall.</p> <p>3 Q How often do you Tweet?</p> <p>4 A I rarely Tweet.</p> <p>5 Q I'm going to show you some documents</p> <p>6 throughout this deposition. You can use this binder.</p> <p>7 MS. MASRI: Do you have another copy counsel?</p> <p>8 MS. KONKOLY: We've been using two binders,</p> <p>9 so I have one for me and I've got one for everyone</p> <p>10 else to share.</p> <p>11 MS. MASRI: Okay.</p> <p>12 MS. KONKOLY: Like to have you turn to Tab A.</p> <p>13 Do you recognize this document?</p> <p>14 MS. MASRI: Take your time to look through</p> <p>15 it.</p> <p>16 (Witness reviewing document.)</p> <p>17 THE WITNESS: Yes.</p> <p>18 MS. KONKOLY: What is it?</p> <p>19 MS. MASRI: Objection, calls for a legal</p> <p>20 conclusion, but describe if you know what it is.</p> <p>21 THE WITNESS: It's our case.</p> <p>22 BY MS. KONKOLY:</p>

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<p style="text-align: right;">Page 22</p> <p>1 Q What do you mean?</p> <p>2 A The case.</p> <p>3 Q Okay. Is it the complaint in this case?</p> <p>4 MS. MASRI: Objection, calls for a legal</p> <p>5 conclusion.</p> <p>6 BY MS. KONKOLY:</p> <p>7 Q You can answer.</p> <p>8 A I don't know what that means.</p> <p>9 Q Okay. If you could turn to page 29, starting</p> <p>10 at paragraph 142?</p> <p>11 A That's it.</p> <p>12 Q Okay. Are these your allegations in this</p> <p>13 lawsuit?</p> <p>14 MS. MASRI: Objection, calls for a legal</p> <p>15 conclusion. Only answer if you know.</p> <p>16 THE WITNESS: Can you repeat your question?</p> <p>17 MS. KONKOLY: Are the paragraphs starting at</p> <p>18 142 underneath the heading "Plaintiff Anas Elhady,"</p> <p>19 going through paragraph 164, are those your</p> <p>20 allegations in this lawsuit?</p> <p>21 MS. MASRI: Objection, calls for a legal</p> <p>22 conclusion. Only answer if you know.</p>	<p style="text-align: right;">Page 24</p> <p>1 accurate. I don't know.</p> <p>2 Q You don't know if this allegation is</p> <p>3 accurate?</p> <p>4 MS. MASRI: Objection, misstates prior</p> <p>5 testimony. Objection as to form. He's already</p> <p>6 answered your question.</p> <p>7 MS. KONKOLY: I would like to make sure I</p> <p>8 understand his answer. Is your testimony that you are</p> <p>9 not sure whether the allegation set forth in paragraph</p> <p>10 148 is accurate?</p> <p>11 MS. MASRI: Objection. Misstates prior</p> <p>12 testimony. Objection as to form. Only answer if you</p> <p>13 know and if you remember.</p> <p>14 THE WITNESS: It says, "shortly afterwards."</p> <p>15 There is no act beyond that. I'm not sure.</p> <p>16 MS. KONKOLY: Is it your allegation that in</p> <p>17 the spring of 2015, you were detained at the</p> <p>18 Ambassador Bridge Port of Entry in Detroit, Michigan</p> <p>19 for approximately six hours when you attempted to re-</p> <p>20 enter the United States after a brief vacation in</p> <p>21 Canada?</p> <p>22 MS. MASRI: Objection. Misstates prior</p>
<p style="text-align: right;">Page 23</p> <p>1 THE WITNESS: Yes.</p> <p>2 MS. KONKOLY: Okay. Are these allegations</p> <p>3 accurate to your best knowledge?</p> <p>4 MS. MASRI: Objection, calls for a legal</p> <p>5 conclusion. Only answer if you know.</p> <p>6 THE WITNESS: Yes.</p> <p>7 MS. KONKOLY: I'd like to specifically ask</p> <p>8 you about paragraph 148. It says, "Shortly</p> <p>9 afterwards," and the paragraph beforehand references</p> <p>10 the May 11th, 2015. So "Shortly after May 2015, Mr.</p> <p>11 Elhady was again referred to Secondary section,</p> <p>12 handcuffed and detained by CBP at the border.</p> <p>13 "Stopped at the Ambassador Bridge Port of</p> <p>14 Entry, Detroit, Michigan for approximately six hours</p> <p>15 when he attempted to re-enter the United States after</p> <p>16 a brief vacation in Canada." Is that accurate?</p> <p>17 MS. MASRI: Objection as to form. Only</p> <p>18 answer if you remember, if you know.</p> <p>19 THE WITNESS: I do not recall.</p> <p>20 BY MS. KONKOLY:</p> <p>21 Q You don't recall?</p> <p>22 A I don't recall. You asked me if it's</p>	<p style="text-align: right;">Page 25</p> <p>1 testimony.</p> <p>2 THE WITNESS: Yes.</p> <p>3 MS. KONKOLY: Okay, and this paragraph is</p> <p>4 referring to the incident where you ultimately were</p> <p>5 taken to the hospital and received medical treatment?</p> <p>6 A I'm sorry. Can you repeat that?</p> <p>7 Q This is in the context of the stop where you</p> <p>8 were taken to the hospital?</p> <p>9 MS. MASRI: Objection, calls for a legal</p> <p>10 conclusion. Only answer if you know.</p> <p>11 THE WITNESS: I'm not sure if that's the one.</p> <p>12 MS. KONKOLY: Okay. Do the paragraphs that</p> <p>13 follow describe the events that followed from this</p> <p>14 particular stop?</p> <p>15 MS. MASRI: Objection as to form.</p> <p>16 THE WITNESS: I did not understand that part.</p> <p>17 MS. KONKOLY: Okay. If you could read</p> <p>18 paragraphs 148 and 153, actually to 156. My question</p> <p>19 to you is whether the allegations in paragraphs 148 to</p> <p>20 156 are all referring to the same incident.</p> <p>21 (Witness reviewing document.)</p> <p>22 MS. KONKOLY: Can we mark that first tab as</p>

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<p style="text-align: right;">Page 26</p> <p>1 Exhibit A?</p> <p>2 (Whereupon, the document</p> <p>3 referred to was marked for</p> <p>4 identification as Exhibit A.)</p> <p>5 MS. MASRI: Officially from the binder.</p> <p>6 MS. KONKOLY: And we're going to jump around</p> <p>7 a little bit.</p> <p>8 MS. MASRI: Are you marking this one?</p> <p>9 MS. KONKOLY: Yes, Exhibit A, Tab A. Okay,</p> <p>10 and then we're going to go to Tab G. You can go ahead</p> <p>11 and mark that as Exhibit G while we're at it. Yeah,</p> <p>12 exhibit -- it's Tab G.</p> <p>13 (Whereupon, the document</p> <p>14 referred to was marked for</p> <p>15 identification as Exhibit G.)</p> <p>16 MS. KONKOLY: Do you recognize this document?</p> <p>17 (Witness reviewing document.)</p> <p>18 THE WITNESS: Yes.</p> <p>19 BY MS. KONKOLY:</p> <p>20 Q What is it?</p> <p>21 A I don't know. I'm not sure what it is</p> <p>22 exactly, but I remember filling it for a certain</p>	<p style="text-align: right;">Page 28</p> <p>1 A I do not remember.</p> <p>2 Q Did you submit this form to the</p> <p>3 Transportation Security Administration?</p> <p>4 MS. MASRI: I'm going to object and instruct</p> <p>5 you to answer only if it doesn't divulge attorney-</p> <p>6 client communications.</p> <p>7 THE WITNESS: Can you repeat your question?</p> <p>8 BY MS. KONKOLY:</p> <p>9 Q Did you submit this form to the</p> <p>10 Transportation Security Administration?</p> <p>11 A I do not recall.</p> <p>12 Q Okay. If you'll look at page -- at the</p> <p>13 bottom it has a date stamp. It says "Elhady dash 3</p> <p>14 zeros and then a 3." I'm sorry, Elhady 3. Is that</p> <p>15 your signature in the middle of the page?</p> <p>16 A Yes.</p> <p>17 Q Okay, and in Section 6, Incident Details. It</p> <p>18 says "Every time I cross the border I get stopped and</p> <p>19 detained for three to six hours by CBP. I also get my</p> <p>20 cell phone taken for at least three weeks." Is that</p> <p>21 accurate?</p> <p>22 A Yes.</p>
<p style="text-align: right;">Page 27</p> <p>1 reason.</p> <p>2 Q Okay. Why did you fill out this form?</p> <p>3 MS. MASRI: I'm going to just object, and</p> <p>4 instruct you not to answer if your answer reveals</p> <p>5 attorney client privileged information. If it</p> <p>6 doesn't, go ahead and answer.</p> <p>7 THE WITNESS: Can you repeat your question?</p> <p>8 BY MS. KONKOLY:</p> <p>9 Q Why did you fill out this form?</p> <p>10 A I do not recall the specific incident for</p> <p>11 filling it.</p> <p>12 Q Okay. What do you understand this form to</p> <p>13 be?</p> <p>14 A Traveling Inquiry Form.</p> <p>15 Q Okay.</p> <p>16 A From Homeland Security.</p> <p>17 Q And what's the purpose of this form?</p> <p>18 MS. MASRI: Objection, calls for a legal</p> <p>19 conclusion. Objection as to form.</p> <p>20 BY MS. KONKOLY:</p> <p>21 Q What is your understanding of the purpose of</p> <p>22 this form?</p>	<p style="text-align: right;">Page 29</p> <p>1 Q Okay. Is that the complaint that you</p> <p>2 submitted on this form?</p> <p>3 A Yes.</p> <p>4 Q And attested to with your signature?</p> <p>5 A Yes.</p> <p>6 Q Okay, and is that allegation accurate?</p> <p>7 MS. MASRI: Objection as to form.</p> <p>8 (Witness reviewing document.)</p> <p>9 BY MS. KONKOLY:</p> <p>10 Q You can answer.</p> <p>11 A Sorry, give me a second. I'm reading it.</p> <p>12 (Witness reviewing document.)</p> <p>13 THE WITNESS: Yes.</p> <p>14 MS. KONKOLY: Okay. If we could turn to Tab</p> <p>15 D. Mark that please. I ask you to take a look at</p> <p>16 this document and tell me whether you recognize it.</p> <p>17 (Whereupon, the document</p> <p>18 referred to was marked for</p> <p>19 identification as Exhibit D.)</p> <p>20 (Witness reviewing document.)</p> <p>21 MS. MASRI: So counsel for the record and</p> <p>22 just to clarify your question, it looks like Exhibit D</p>

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<p style="text-align: right;">Page 30</p> <p>1 consists of two separate documents.</p> <p>2 MS. KONKOLY: He sent them to us as one, but</p> <p>3 yeah.</p> <p>4 MS. MASRI: Okay.</p> <p>5 THE WITNESS: Can you repeat your question?</p> <p>6 BY MS. KONKOLY:</p> <p>7 Q Do you recognize the document or documents in</p> <p>8 Tab D?</p> <p>9 A Yes.</p> <p>10 Q Okay. What are they?</p> <p>11 MS. MASRI: Objection as to form, calls for a</p> <p>12 legal conclusion. Only answer if you know.</p> <p>13 BY MS. KONKOLY:</p> <p>14 Q What is your understanding of what these</p> <p>15 documents are?</p> <p>16 A My entry and exiting the United States.</p> <p>17 Q Are these your answers to the questions that</p> <p>18 defendants have asked you in discovery in this case?</p> <p>19 A Yes.</p> <p>20 Q Okay. Can you turn to the last page of this</p> <p>21 exhibit? Is that your signature?</p> <p>22 A Yes.</p>	<p style="text-align: right;">Page 32</p> <p>1 Q You can answer.</p> <p>2 A It's on December 21st, 2017.</p> <p>3 Q Okay. Exhibit D is dated December 21st,</p> <p>4 2017; is that correct?</p> <p>5 MS. MASRI: Objection. Objection as to form.</p> <p>6 The document speaks for itself.</p> <p>7 BY MS. KONKOLY:</p> <p>8 Q You can answer.</p> <p>9 A Could you repeat the question? It's on</p> <p>10 December 21st, 2017.</p> <p>11 Q Okay. Exhibit D is dated December 21st,</p> <p>12 2017; correct?</p> <p>13 MS. MASRI: Objection, same objection, and</p> <p>14 just for the record, we're looking at the very last</p> <p>15 page of Exhibit D, and it shows that I signed the</p> <p>16 document on December 21st.</p> <p>17 BY MS. KONKOLY:</p> <p>18 Q Okay, and your signature is attached to this</p> <p>19 document on the bottom; correct?</p> <p>20 A Yes.</p> <p>21 MS. KONKOLY: Okay. If we can turn to</p> <p>22 Exhibit I? I'm sorry. That's not what I want.</p>
<p style="text-align: right;">Page 31</p> <p>1 Q Okay. When did you provide that signature?</p> <p>2 A I do not remember.</p> <p>3 Q Was it before or after the New Year?</p> <p>4 A I do not recall.</p> <p>5 Q If you could go back a page before that.</p> <p>6 Does the certificate of service say that this document</p> <p>7 was served on us on December 21st, 2017?</p> <p>8 MS. MASRI: Objection as to form, calls for a</p> <p>9 legal conclusion. It calls for speculation. There's</p> <p>10 no way for him to know when I submitted this</p> <p>11 certificate of service.</p> <p>12 MS. KONKOLY: I'm asking him whether this</p> <p>13 document indicates that it was served on December</p> <p>14 21st, 2017.</p> <p>15 THE WITNESS: I do not recall.</p> <p>16 MS. KONKOLY: I'm not asking you what you</p> <p>17 recall about this. I'm asking you to look at this</p> <p>18 document and tell me whether on its face it's dated</p> <p>19 December 21st, 2017?</p> <p>20 MS. MASRI: Objection. The document speaks</p> <p>21 for itself.</p> <p>22 BY MS. KONKOLY:</p>	<p style="text-align: right;">Page 33</p> <p>1 Exhibit F. Go ahead and mark that one. Let the court</p> <p>2 reporter see the exhibit. Okay. If you could take a</p> <p>3 look at Exhibit F and tell me whether you recognize</p> <p>4 this document?</p> <p>5 (Whereupon, the document</p> <p>6 referred to was marked for</p> <p>7 identification as Exhibit F.)</p> <p>8 (Witness reviewing document.)</p> <p>9 BY MS. KONKOLY:</p> <p>10 Q Do you recognize Exhibit F?</p> <p>11 A Yes.</p> <p>12 Q What is your understanding of what Exhibit F</p> <p>13 is?</p> <p>14 MS. MASRI: Same objection as to form, calls</p> <p>15 for a legal conclusion. Only answer if you know.</p> <p>16 THE WITNESS: My case.</p> <p>17 BY MS. KONKOLY:</p> <p>18 Q What do you mean by that?</p> <p>19 A The case of -- information about my case that</p> <p>20 I provided.</p> <p>21 Q Okay, and what is the date on this document?</p> <p>22 MS. MASRI: Objection again as to form. The</p>

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<p style="text-align: right;">Page 34</p> <p>1 document speaks for itself. There is no way for him 2 to have personal knowledge regarding when this 3 document was dated. 4 BY MS. KONKOLY: 5 Q It's okay, you can answer. 6 A I do not recall. 7 Q On the face of the document, when is it 8 dated, on page 18? 9 A Page 18 dated on February 2nd, 2018. 10 Q Okay, and on the last page of this exhibit, 11 or I'm sorry, it's not the last page. Second to last 12 page, is that your signature? 13 A Yes. 14 Q Okay, and did you provide a new signature for 15 this February 2nd document, or is this a copy of the 16 signature that you provided for Exhibit D that we were 17 just talking about? 18 A I do not recall. 19 Q Did you provide a new signature for your 20 interrogatories somewhere between January 19th and 21 February 2nd? 22 MS. MASRI: Objection, he's already answered</p>	<p style="text-align: right;">Page 36</p> <p>1 your question is inappropriate. 2 MS. KONKOLY: How many times did you provide 3 signatures for your interrogatories, once or twice? 4 MS. MASRI: Again I'm going to object on the 5 same grounds, not to divulge any attorney-client 6 privileged information. 7 MS. KONKOLY: We have a right to inquire as 8 to the veracity of the signature that was provided and 9 his compliance with the Federal Rules of Civil 10 Procedure, and the court order that was provided on 11 January 19th. 12 MS. MASRI: You have asked already whether 13 that was his signature. He has confirmed that it is. 14 Any communications with our office, on the other hand, 15 are privileged information. 16 MS. KONKOLY: I'm asking him whether this is 17 a new signature. 18 MS. MASRI: He's already answered that 19 question. 20 MS. KONKOLY: Strike that. Will you please 21 go back to Exhibit D? I'd like you to take out the 22 last page. It has the signature there. Take a look</p>
<p style="text-align: right;">Page 35</p> <p>1 your question. 2 BY MS. KONKOLY: 3 Q He hasn't. You can answer. 4 A I do not recall. 5 Q Okay. How many times did you provide your 6 attorneys with a signature page, once or twice? 7 MS. MASRI: Objection. I'm going to instruct 8 you not to answer in a way that divulges any attorney- 9 client privileged information. If there's no way for 10 you to answer the question without divulging attorney- 11 client privileged information, then you say that you 12 can't answer the question. 13 THE WITNESS: I can't answer the question. 14 MS. KONKOLY: I'm going to object to the 15 impropriety of that objection. That was clearly a 16 leading coaching objection. 17 MS. MASRI: That was -- it was -- 18 MS. KONKOLY: There's no attorney-client 19 privileged information called for by this question. 20 MS. MASRI: Oh, there is definitely. When 21 you asked when he gave us his signature, that is 22 definitely attorney-client privileged information, and</p>	<p style="text-align: right;">Page 37</p> <p>1 at the binder. We'll put it back. 2 (Witness reviewing document.) 3 MS. KONKOLY: Okay. Let's flip back to where 4 we were at the end of Exhibit F. Does it appear to 5 you that this is a photocopy of the original 6 signature? 7 MS. MASRI: I'm going to object as to form, 8 and that this question is completely inappropriate and 9 the document speaks for itself. 10 MS. KONKOLY: You can answer. I'm asking you 11 to compare these two signatures. That's all you need 12 to look at. Do these appear to you to be a photocopy? 13 MS. MASRI: Objection, the document speaks 14 for itself. 15 THE WITNESS: No. 16 MS. KONKOLY: Do you recall providing two 17 different signatures for these two different pages? 18 MS. MASRI: I think this question's been 19 answered three or four times right now. 20 MS. KONKOLY: You can answer. 21 MS. MASRI: I'm going to allow him to answer, 22 but you need to continue with your line of</p>

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<p style="text-align: right;">Page 38</p> <p>1 questioning, because at this point it's harassment and</p> <p>2 you're bullying my client. Again, we've gone through</p> <p>3 this issue. We've gone to court on this issue, and</p> <p>4 the judge made it very clear that you are not to bully</p> <p>5 and harass our clients during the depositions.</p> <p>6 MS. KONKOLY: You can answer.</p> <p>7 THE WITNESS: I've answered that question</p> <p>8 before.</p> <p>9 MS. KONKOLY: I just want to know whether</p> <p>10 this is the same signature. I'm sorry. Can you just</p> <p>11 read my question back? I would just like -- you said,</p> <p>12 Lena, you were going to allow him to answer that last</p> <p>13 question. I would like that question read back and I</p> <p>14 would like an answer, and then we'll move on.</p> <p>15 MS. MASRI: Okay.</p> <p>16 THE WITNESS: This is my signature.</p> <p>17 MS. KONKOLY: We're going to read my question</p> <p>18 back, and you're going to answer, and then we'll move</p> <p>19 on.</p> <p>20 THE WITNESS: Can you repeat the --</p> <p>21 MS. KONKOLY: He's going to read it back.</p> <p>22 The court reporter is going to read the question back.</p>	<p style="text-align: right;">Page 40</p> <p>1 distinct signatures for these two distinct signature</p> <p>2 pages?</p> <p>3 MS. MASRI: Counsel, we agreed that he was</p> <p>4 going to answer the question that you asked, which was</p> <p>5 is this a photocopy? That's the question that I</p> <p>6 agreed that you're going to ask. You've been bullying</p> <p>7 and harassing my client. You've asked him that</p> <p>8 question multiple times at this point. He's answered</p> <p>9 it multiple times.</p> <p>10 MS. KONKOLY: We agreed that there would be</p> <p>11 one last opportunity for him to answer that question.</p> <p>12 The question is, do you recall providing two distinct</p> <p>13 signatures on two occasions?</p> <p>14 MS. MASRI: That was not the question that we</p> <p>15 agreed that he was going to answer. The question was</p> <p>16 whether this was a photocopy.</p> <p>17 MS. KONKOLY: Okay. I'm going to move on.</p> <p>18 I'm going to state for the record that I very, very,</p> <p>19 very strenuously take strong objection to your</p> <p>20 characterization of this line of questioning. If you</p> <p>21 continue to make those kind of characterizations,</p> <p>22 we'll adjourn.</p>
<p style="text-align: right;">Page 39</p> <p>1 (Off mic comment.)</p> <p>2 MS. KONKOLY: Okay. Are you able to read it</p> <p>3 back?</p> <p>4 COURT REPORTER: It's on the record. I don't</p> <p>5 actually type the full question.</p> <p>6 MS. KONKOLY: Can you play it back?</p> <p>7 COURT REPORTER: Sure, I can.</p> <p>8 (Off mic comment.)</p> <p>9 MS. KONKOLY: Why don't we take a short break</p> <p>10 while you try to find that.</p> <p>11 COURT REPORTER: Okay.</p> <p>12 MS. KONKOLY: We'll go off the record and</p> <p>13 come back in a few minutes.</p> <p>14 MS. MASRI: How long did you say?</p> <p>15 MS. KONKOLY: Three minutes.</p> <p>16 MS. MASRI: Okay.</p> <p>17 (Whereupon, a short recess was taken.)</p> <p>18 (Whereupon, the requested question was read</p> <p>19 back for the record.)</p> <p>20 BY MS. KONKOLY:</p> <p>21 Q I'm just going to ask one more time because</p> <p>22 that was confusing. Do you recall providing two</p>	<p style="text-align: right;">Page 41</p> <p>1 MS. MASRI: Yeah. We've literally been</p> <p>2 discussing his signatures for ten minutes. At this</p> <p>3 point yes, it is bullying and harassing.</p> <p>4 MS. KONKOLY: Okay. Let's take another</p> <p>5 break.</p> <p>6 (Whereupon, a short recess was taken.)</p> <p>7 BY MS. KONKOLY:</p> <p>8 Q Mr. Elhady, do you understand that you're</p> <p>9 still under oath?</p> <p>10 A Yes.</p> <p>11 Q Okay. I'm just going to state for the record</p> <p>12 that on defendant's view, there is a pending question</p> <p>13 we have not received an answer to. I understand that</p> <p>14 plaintiffs take a different position. We may revisit</p> <p>15 that issue later, but I'm going to move on for now.</p> <p>16 MS. MASRI: Well, on the record. No, I have</p> <p>17 a right to respond. On the record, I have said that</p> <p>18 he can answer your last question that you asked. That</p> <p>19 was the agreement that we both agreed to, and he is</p> <p>20 ready to answer that question. So if you don't want</p> <p>21 him to answer, that's your prerogative.</p> <p>22 MS. KONKOLY: Okay. Shall we try to play</p>

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<p style="text-align: right;">Page 42</p> <p>1 back the question one more time then?</p> <p>2 MS. MASRI: We've already done that. The</p> <p>3 question was, is this a photocopy? That was the</p> <p>4 question, and you can answer that if you want to</p> <p>5 answer. If you don't want him to answer, that's your</p> <p>6 prerogative.</p> <p>7 MS. KONKOLY: Okay. I'll ask that question</p> <p>8 one more time, and when we get the transcript we'll</p> <p>9 see whether that was in fact the last question. I</p> <p>10 honestly do not recall at this point in time.</p> <p>11 MS. MASRI: We just heard it. It was played</p> <p>12 back. We just heard it.</p> <p>13 BY MS. KONKOLY:</p> <p>14 Q There was a whole interchange that was played</p> <p>15 back. I will ask that question one more time. Are</p> <p>16 these two signatures photocopies of each other?</p> <p>17 A I don't know.</p> <p>18 Q Okay. You can put that other page back --</p> <p>19 A Where was it?</p> <p>20 Q At the end of D, Tab D.</p> <p>21 (Pause.)</p> <p>22 MS. KONKOLY: Oh, I'm sorry. Let's make sure</p>	<p style="text-align: right;">Page 44</p> <p>1 We're going to come back to your</p> <p>2 international travel later, but from your other</p> <p>3 interrogatory responses, it seems to me that you might</p> <p>4 have traveled on to Saudi Arabia on this trip; is that</p> <p>5 correct?</p> <p>6 MS. MASRI: Objection as to form, and if you</p> <p>7 need to look at the other interrogatory responses that</p> <p>8 she referred to, then state that you do.</p> <p>9 MS. KONKOLY: I'm going to object to the</p> <p>10 speaking objection there.</p> <p>11 MS. MASRI: It's not -- well, I'm going to</p> <p>12 object as to form, because you haven't identified what</p> <p>13 other responses are, and you haven't asked him about</p> <p>14 it yet.</p> <p>15 BY MS. KONKOLY:</p> <p>16 Q I'm just indicating that -- let me ask you</p> <p>17 this. Did you fly -- strike all the previous</p> <p>18 questions. In July 2012, after you flew from Detroit</p> <p>19 to New York, did you continue on to Saudi Arabia?</p> <p>20 A Yes.</p> <p>21 Q And I'm just asking about this leg from</p> <p>22 Detroit to New York. Were you traveling with anyone?</p>
<p style="text-align: right;">Page 43</p> <p>1 it goes in the right place. I think -- yeah, okay.</p> <p>2 Tab D, I'm sorry.</p> <p>3 MS. MASRI: Yeah, I think that's right.</p> <p>4 MS. KONKOLY: Okay. We're going to stick</p> <p>5 with Exhibit F for a while. This is the February 22nd</p> <p>6 document. I'm sorry, the February 2nd.</p> <p>7 MS. MASRI: Umm counsel, I don't know if</p> <p>8 things got rearranged, but was Exhibit E just a</p> <p>9 verification page?</p> <p>10 MS. KONKOLY: Yeah. You sent it to us</p> <p>11 separately, this one.</p> <p>12 MS. MASRI: Oh okay, all right.</p> <p>13 BY MS. KONKOLY:</p> <p>14 Q Okay. You're in Tab F?</p> <p>15 A Yes.</p> <p>16 Q Okay. I want to take some time to talk about</p> <p>17 all your travel in the last ten years, and we're going</p> <p>18 to have to go trip by trip. I want to start with your</p> <p>19 domestic travel. I'll have you turn to page 13,</p> <p>20 paragraph one of that upside down. It says that "In</p> <p>21 July 2012, you flew from Detroit, Michigan to New York</p> <p>22 City."</p>	<p style="text-align: right;">Page 45</p> <p>1 A Yes.</p> <p>2 Q Who were you traveling with?</p> <p>3 A My aunt and her kids.</p> <p>4 Q Okay. What is your aunt's name?</p> <p>5 A Arid.</p> <p>6 Q Can you spell that for the record?</p> <p>7 A A-R-I-D.</p> <p>8 Q Okay, and what her children? How many kids?</p> <p>9 A I'm not sure which of her kids were there,</p> <p>10 but I just remember one of them, which is her little</p> <p>11 daughter, Amira.</p> <p>12 Q Okay, school age?</p> <p>13 A What are you asking?</p> <p>14 Q Are they under 18?</p> <p>15 A Yes.</p> <p>16 Q Is this the first time you've flown since you</p> <p>17 turned 18 domestically?</p> <p>18 A I do not recall.</p> <p>19 Q Prior to July 2012, had you ever flown inside</p> <p>20 the United States before?</p> <p>21 A Can you repeat that question?</p> <p>22 Q Prior to this July 2012 trip from Detroit to</p>

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<p>1 New York, had you ever taken an airline flight inside</p> <p>2 the United States before?</p> <p>3 A I don't recall.</p> <p>4 Q You don't recall.</p> <p>5 A I don't recall taking any flights.</p> <p>6 Q You were born in 1993?</p> <p>7 A Correct.</p> <p>8 Q So you would have been approximately 19 in</p> <p>9 July 2012?</p> <p>10 A I don't know. 19 maybe.</p> <p>11 Q Okay.</p> <p>12 A Yes.</p> <p>13 Q Paragraph 13 indicates that in December 2013</p> <p>14 you flew from Detroit to California. Is that</p> <p>15 accurate?</p> <p>16 A Around December -- around December or around</p> <p>17 December. I'm not sure of the exact date.</p> <p>18 Q Okay, but you went from Detroit to</p> <p>19 California?</p> <p>20 A Correct.</p> <p>21 Q Where in California?</p> <p>22 A I went to Oakland.</p>	<p>1 Q How did you get from Oakland to Las Vegas?</p> <p>2 A Drove there.</p> <p>3 Q That was approximately three weeks after you</p> <p>4 flew out to Oakland?</p> <p>5 A Approximate.</p> <p>6 Q Okay. In paragraph four on the same page, it</p> <p>7 says in January 2015 you flew from Las Vegas to</p> <p>8 Detroit. Is that the flight that you're referring to?</p> <p>9 A Yes.</p> <p>10 Q Okay. I'm a little confused, because we go</p> <p>11 from December 2013 to January 2015. That's more than</p> <p>12 a year.</p> <p>13 MS. MASRI: Objection. Misstates prior</p> <p>14 testimony and that is not what it says.</p> <p>15 BY MS. KONKOLY:</p> <p>16 Q I understand your testimony to be that in</p> <p>17 December 2013, you flew from Detroit to Oakland; is</p> <p>18 that correct?</p> <p>19 MS. MASRI: Counsel, are you talking about</p> <p>20 paragraph two or paragraph three?</p> <p>21 BY MS. KONKOLY:</p> <p>22 Q I'm talking about paragraph two.</p>
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<p>1 Q Okay. What was the purpose of that trip?</p> <p>2 A Me and my friends met there for a vacation.</p> <p>3 Q Okay. How long did you stay?</p> <p>4 A About three weeks.</p> <p>5 Q Okay, and did you fly back to Detroit?</p> <p>6 A Yes.</p> <p>7 Q Okay, and were you traveling alone or with</p> <p>8 anyone on your trip from Detroit to California?</p> <p>9 A Alone.</p> <p>10 Q And on your return trip from California to</p> <p>11 Detroit, were you traveling by yourself or alone?</p> <p>12 A From Detroit. Yeah, from Oakland to -- I'm</p> <p>13 sorry. Can you repeat that?</p> <p>14 Q The second question was on your return flight</p> <p>15 back to Detroit, were you traveling alone or with</p> <p>16 anyone?</p> <p>17 A I did not come back from Oakland. I came</p> <p>18 back from Las Vegas to Detroit.</p> <p>19 Q You came back from Las Vegas?</p> <p>20 A Yes.</p> <p>21 Q Did you fly from Oakland to Las Vegas?</p> <p>22 A No.</p>	<p>1 A Detroit to Oakland. It's the same one.</p> <p>2 Q What do you mean it was the same one?</p> <p>3 A Give me a second please.</p> <p>4 (Witness reviewing document.)</p> <p>5 THE WITNESS: Paragraph two and paragraph</p> <p>6 three, it's not different flights. It's one flight</p> <p>7 from Detroit to Oakland.</p> <p>8 BY MS. KONKOLY:</p> <p>9 Q Okay, and did you take that trip in December</p> <p>10 2013 or December 2015?</p> <p>11 A I do not recall.</p> <p>12 Q But it was only one trip?</p> <p>13 A It was one trip.</p> <p>14 Q You didn't take one trip to Oakland in</p> <p>15 December of 2013 and another trip to Oakland December</p> <p>16 2014, a year later?</p> <p>17 A No.</p> <p>18 Q Okay, and you stayed for about three weeks</p> <p>19 and then you drove from Oakland to Las Vegas?</p> <p>20 A I drove -- then the third week, I drove to</p> <p>21 Las Vegas and traveled from there.</p> <p>22 Q Okay, and so that trip either happened from</p>

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<p style="text-align: right;">Page 50</p> <p>1 December 2013 to January 2014, or from December 2014 2 to January 2015, but not both? 3 A Yes. 4 Q Okay. Was your flight from Detroit to 5 Oakland a direct flight? 6 A I do not recall. 7 Q Paragraph three indicates that you went from 8 Detroit to Phoenix to Oakland. Is that accurate? 9 A Oh yeah, yeah. That's right. 10 Q Okay. So there was a layover at Phoenix on 11 your way out? 12 A Right. 13 Q Okay. How about on your way back from Las 14 Vegas to Detroit? 15 A I do not recall. 16 Q Were you traveling alone or with anyone on 17 your return flight from Las Vegas to Detroit? 18 A With my friend. 19 Q Who was your friend? 20 A Ousama Almirani. 21 Q Okay. Can you spell that for the record? 22 A Usama, O-U-S-A-M-A. Almirani, A-L-M-I-R-A-N-</p>	<p style="text-align: right;">Page 52</p> <p>1 A Yes. 2 Q Okay, not just you? 3 A I was the only person that was asked to take 4 another flight for a certain amount. 5 Q Okay. But they offered you two or three 6 hundred dollars in exchange for that? 7 A Okay. 8 Q Do you allege that that -- that that question 9 was posed to you because you were on a watch list? 10 MS. MASRI: Objection, calls for speculation. 11 Calls for a legal conclusion. Objection as to form. 12 You can answer. 13 BY MS. KONKOLY: 14 Q You can answer. 15 A Can you repeat that question. Do you believe 16 or do you allege in this lawsuit that the reason that 17 the airline asked you if you'd be willing to take two 18 or three hundred dollars to move to a different flight 19 because you're on a watch list? 20 MS. MASRI: Same objection. 21 THE WITNESS: I don't know what they think. 22 BY MS. KONKOLY:</p>
<p style="text-align: right;">Page 51</p> <p>1 I. 2 Q Paragraph three, page 13 indicates that on 3 your trip out from Detroit to Phoenix to Oakland, you 4 were delayed an hour. At what point were you delayed 5 an hour? Was that on the Detroit to Phoenix leg? 6 A Detroit to Phoenix. 7 Q Okay. Can you tell me what happened? 8 A The flight, I do not recall which airlines 9 was it, but the person who was in charge of the flight 10 came to me, and they first announced that the flight 11 will be delayed, and then they came to me and they 12 asked me if I would take a different flight, and get 13 paid two to three hundred dollars. I don't recall was 14 the exact amount, but they asked me if I could do 15 that. 16 Q Okay. 17 A And I said no, and then that was it. They 18 said they'd delayed it, they're going to delay it 30 19 minutes, and then they delayed that another 30 minutes 20 and then we got on the flight. 21 Q So the whole flight was delayed; everybody on 22 that flight was delayed?</p>	<p style="text-align: right;">Page 53</p> <p>1 Q Okay. You were allowed to say no to that 2 offer; correct? 3 A I'm sorry. 4 Q You were allowed to say no to that offer? 5 A I said no. 6 Q Yeah, okay. Did you write about that 7 experience of being asked to be bumped to a different 8 flight in any social media forum? 9 A No. 10 Q Okay. Did you talk to anyone about it at the 11 time? 12 A No. 13 Q Aside from your attorney, did you talk about 14 it with anyone at the time? 15 A Yes. 16 Q Okay. Who did you talk to? 17 A My brother. 18 Q Okay. What did you tell your brother? 19 A I told him the story and what happened, and 20 why I was late. 21 Q Okay. What is your brother's name? 22 A Moneeb.</p>

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<p style="text-align: right;">Page 54</p> <p>1 Q Can you spell that?</p> <p>2 A M-O-N-E-E-B, Elhady, E-L-H-A-D-Y.</p> <p>3 Q Did you send anyone a letter or an email</p> <p>4 describing the experience in which the airline offered</p> <p>5 to bump you to a different flight?</p> <p>6 MS. MASRI: Objection. To the extent that it</p> <p>7 asks for attorney-client privilege information, don't</p> <p>8 answer. Otherwise, you can answer.</p> <p>9 THE WITNESS: I do not recall.</p> <p>10 BY MS. KONKOLY:</p> <p>11 Q Paragraph five on page 13 indicates on August</p> <p>12 23rd, 2017, you flew from Chicago to Detroit. Is that</p> <p>13 accurate?</p> <p>14 A What paragraph was that?</p> <p>15 Q Paragraph five.</p> <p>16 A Yes.</p> <p>17 Q Okay, and on the next page, it says "On the</p> <p>18 exact same date, August 23rd, 2017, you flew from ORD</p> <p>19 to DTW on United Air Flight 360. Is that the same</p> <p>20 flight as you were talking about in paragraph five?</p> <p>21 A It's the same flight number and on the same</p> <p>22 date. It's the same thing.</p>	<p style="text-align: right;">Page 56</p> <p>1 Q Did you take a carry-on as well?</p> <p>2 A Yes.</p> <p>3 Q Okay. It says your carry-on was searched and</p> <p>4 chemical tests were administered?</p> <p>5 A Yes.</p> <p>6 Q Okay. Can you tell me about that?</p> <p>7 A I was walking with everyone through the exit.</p> <p>8 Q Exit where?</p> <p>9 A From the overseas flight to the other flight</p> <p>10 from Chicago to Detroit. I was heading to my gate</p> <p>11 toward Detroit, and when I -- when I'm leaving the</p> <p>12 luggage area, everyone was being stopped and they were</p> <p>13 asked for their passport or boarding pass. When they</p> <p>14 got to me, they asked me to take a different lane.</p> <p>15 They asked me where I'm coming from, what's</p> <p>16 the reason? I'm from my flight, why I came back and</p> <p>17 they asked me to take a different lane than everyone</p> <p>18 else, and my luggage and carry-on were searched and</p> <p>19 chemical test.</p> <p>20 Q How long did that take?</p> <p>21 A About an hour.</p> <p>22 Q Did you catch your flight to Detroit?</p>
<p style="text-align: right;">Page 55</p> <p>1 Q Okay. Does ORD stand for O'Hare?</p> <p>2 A It's the Chicago airport.</p> <p>3 Q ORD stands for Chicago?</p> <p>4 A It's their code for the airport.</p> <p>5 Q Okay. So five and six are the same flight?</p> <p>6 A Yes.</p> <p>7 Q Do you know why you listed them twice?</p> <p>8 A I do not recall.</p> <p>9 Q How did you get to Chicago?</p> <p>10 A Came back from overseas.</p> <p>11 Q This is a return from an overseas trip?</p> <p>12 A Yes.</p> <p>13 Q Where were you coming back from?</p> <p>14 A The flight was from Roma, Italy.</p> <p>15 Q And on your trip from Chicago to Detroit,</p> <p>16 were you traveling by yourself or with anyone?</p> <p>17 A Can you repeat that?</p> <p>18 Q Just on the leg from Chicago to Detroit, were</p> <p>19 you traveling by yourself or with anyone?</p> <p>20 A By myself.</p> <p>21 Q Okay. Did you check any luggage?</p> <p>22 A Yes.</p>	<p style="text-align: right;">Page 57</p> <p>1 A Yes.</p> <p>2 Q Did you have any problems checking into your</p> <p>3 flight to Detroit from Chicago?</p> <p>4 A I do not recall.</p> <p>5 Q Did you have any problems boarding your</p> <p>6 flight once you got to the gate?</p> <p>7 A There was a problem, but I do not remember</p> <p>8 what it is. I know I couldn't do it at the computer,</p> <p>9 fast service, whatever. I had to go to the corner.</p> <p>10 So one of the airlines employees had to do it for me.</p> <p>11 Q Okay. That's when you checked into your</p> <p>12 flight at Chicago to go to Detroit?</p> <p>13 A Correct.</p> <p>14 Q Okay. Did you have any problems boarding</p> <p>15 your plane at the gate?</p> <p>16 A I do not recall.</p> <p>17 Q Did you have any problems once you were on</p> <p>18 board that flight to Detroit?</p> <p>19 A Can you repeat that question?</p> <p>20 Q Did you have any problems once you boarded</p> <p>21 the flight on the plane?</p> <p>22 A On the plane?</p>

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<p style="text-align: right;">Page 58</p> <p>1 Q Yeah.</p> <p>2 A No.</p> <p>3 Q Okay. Did you talk to anyone about --</p> <p>4 A I'm sorry. Can we go back to the last</p> <p>5 question? I did have a problem on the plane from</p> <p>6 Chicago to Detroit. I was asked three times to change</p> <p>7 my seat.</p> <p>8 Q Okay. Do you know why you were asked to</p> <p>9 change your seat?</p> <p>10 MS. MASRI: Objection, calls for speculation.</p> <p>11 THE WITNESS: I don't know why.</p> <p>12 MS. KONKOLY: Do you believe it was because</p> <p>13 you were on a watch list?</p> <p>14 MS. MASRI: Objection, calls for a legal</p> <p>15 conclusion, calls for speculation. Objection as to</p> <p>16 form.</p> <p>17 BY MS. KONKOLY:</p> <p>18 Q You can answer.</p> <p>19 A I don't know.</p> <p>20 Q Did you talk to anyone about your experience</p> <p>21 going through the Chicago airport on your way to</p> <p>22 Detroit at the time, besides your attorney?</p>	<p style="text-align: right;">Page 60</p> <p>1 MS. MASRI: As a clarification, are you</p> <p>2 asking through flights?</p> <p>3 BY MS. KONKOLY:</p> <p>4 Q Yes. Have you flown with your wife inside</p> <p>5 the United States?</p> <p>6 A My wife haven't been in the United States.</p> <p>7 Q Okay. She's never entered the United States?</p> <p>8 A No.</p> <p>9 Q Have you flown to visit your parents inside</p> <p>10 the United States?</p> <p>11 A No.</p> <p>12 Q Have you flown to visit other family members</p> <p>13 inside the United States?</p> <p>14 A No.</p> <p>15 Q Have you flown to visit friends inside the</p> <p>16 United States?</p> <p>17 A Other than the flights we --</p> <p>18 Q Other than the ones we've already talked</p> <p>19 about?</p> <p>20 A No.</p> <p>21 Q Have you flown to attend a wedding inside the</p> <p>22 United States?</p>
<p style="text-align: right;">Page 59</p> <p>1 A No.</p> <p>2 Q Did you post about it on any of your social</p> <p>3 media accounts?</p> <p>4 A No.</p> <p>5 Q Did you email anyone other than your attorney</p> <p>6 about that experience?</p> <p>7 A No.</p> <p>8 Q Aside from these trips that we've talked</p> <p>9 about, so Detroit to New York in July 2012, Detroit</p> <p>10 out to Oakland and then Las Vegas back to Detroit in</p> <p>11 either the end of 2013/early 2014 or the end of</p> <p>12 2014/early 2015, and this last trip from Chicago to</p> <p>13 Detroit, are there any other times that you've flown</p> <p>14 domestically in the United States since you turned 18?</p> <p>15 A I do not recall.</p> <p>16 Q Have you taken any family vacations inside</p> <p>17 the United States since you turned 18?</p> <p>18 A Through flight?</p> <p>19 Q Yeah.</p> <p>20 A No.</p> <p>21 Q Have you taken any trips with your wife</p> <p>22 inside the United States?</p>	<p style="text-align: right;">Page 61</p> <p>1 A No.</p> <p>2 Q Have you flown to attend a bachelor party</p> <p>3 inside the United States?</p> <p>4 A No.</p> <p>5 Q Have you flown to attend a funeral inside the</p> <p>6 United States?</p> <p>7 A No.</p> <p>8 Q Have you flown for work inside the United</p> <p>9 States?</p> <p>10 A I do not recall.</p> <p>11 Q Is it possible that you have flown for work</p> <p>12 inside the United States?</p> <p>13 A I do not recall.</p> <p>14 Q So there's a possibility?</p> <p>15 A I don't remember any flights other than the</p> <p>16 one we mentioned. So I don't know if there's another</p> <p>17 flight possible, but to the best of my knowledge,</p> <p>18 those are the only flights I can recall.</p> <p>19 Q Inside the United States?</p> <p>20 A Correct.</p> <p>21 Q What efforts did you make to search for other</p> <p>22 flights?</p>

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<p style="text-align: right;">Page 62</p> <p>1 A I'm sorry?</p> <p>2 Q What efforts did you make to search for other</p> <p>3 flights?</p> <p>4 A I don't understand your question.</p> <p>5 Q To answer the questions that the defendants</p> <p>6 put to you, to fill out this document, how did you</p> <p>7 search?</p> <p>8 A How I was searched?</p> <p>9 Q Yeah. How did you conduct a search to</p> <p>10 provide your answers that you provided in this</p> <p>11 document that we're talking about?</p> <p>12 A I do not understand the question honestly?</p> <p>13 Q Did you -- do you have an email account?</p> <p>14 A Email?</p> <p>15 Q Yes.</p> <p>16 A Yes.</p> <p>17 Q Do you book your flights using your email</p> <p>18 account?</p> <p>19 A Sometimes.</p> <p>20 Q Did you run a search inside your email</p> <p>21 account to see if you could find flights that you</p> <p>22 might not remember off the top of your head?</p>	<p style="text-align: right;">Page 64</p> <p>1 page five, paragraph one at the bottom. Page five,</p> <p>2 paragraph one. It says, "That on July 14th, 2002, you</p> <p>3 entered the United States at Detroit from Rome." Is</p> <p>4 that correct?</p> <p>5 A Correct.</p> <p>6 Q Okay. How did you get to Rome?</p> <p>7 A Flight from Yemen.</p> <p>8 Q Okay. Where did that trip start?</p> <p>9 A I do not recall.</p> <p>10 Q Were you living in the United States in July</p> <p>11 2012?</p> <p>12 A Are you asking about paragraph one, because</p> <p>13 that's 2002.</p> <p>14 Q I'm sorry. Were you living in the United</p> <p>15 States in July 2002?</p> <p>16 A That's when I moved here to the United</p> <p>17 States.</p> <p>18 Q Okay. So this trip disclosed in paragraph</p> <p>19 one, this is when you first moved to the United</p> <p>20 States?</p> <p>21 A Yes.</p> <p>22 Q And was that a direct flight from Rome</p>
<p style="text-align: right;">Page 63</p> <p>1 A I did.</p> <p>2 Q Okay. How long did you spend on that search?</p> <p>3 A I do not remember.</p> <p>4 Q How did you conduct that search?</p> <p>5 A I do not recall.</p> <p>6 Q Do you have any idea when that was?</p> <p>7 A The past two years, within the past two</p> <p>8 years.</p> <p>9 Q Within the past two years, and you conducted</p> <p>10 such a search since last October?</p> <p>11 A I do not recall exactly. I know I did</p> <p>12 search, but I do not remember when exactly. It's in</p> <p>13 the past year definitely, past year.</p> <p>14 Q Do you recall what search terms you used when</p> <p>15 you ran that search?</p> <p>16 A I'm sorry. Can you repeat the question?</p> <p>17 Q What kind of search terms did you put into</p> <p>18 your email account?</p> <p>19 A Looked up flight numbers, just in the search</p> <p>20 bar, to see if I can get any other flights than the</p> <p>21 ones I mentioned.</p> <p>22 Q Can you turn back to page one? I'm sorry,</p>	<p style="text-align: right;">Page 65</p> <p>1 straight to Detroit?</p> <p>2 A Yes.</p> <p>3 Q Were you traveling alone or with anyone on</p> <p>4 that flight?</p> <p>5 A With my family.</p> <p>6 Q Okay, and who is in your family that you were</p> <p>7 traveling with on that trip?</p> <p>8 A My father, mother and my three siblings.</p> <p>9 Q Okay. Who are your siblings?</p> <p>10 A Awaab is the oldest.</p> <p>11 Q Can you spell that?</p> <p>12 A I'm not sure of the spelling, but it's</p> <p>13 probably A-W-A-A-B.</p> <p>14 Q How much older is he?</p> <p>15 A He's 28, four years older than me.</p> <p>16 Q Okay.</p> <p>17 A And my other sibling is Moneeb, and he's two</p> <p>18 years older than me, and my sister Kholood, K-H-O-L-O-</p> <p>19 O-D. She's a year and a half younger than me.</p> <p>20 Q Okay. So it was the six of you traveling</p> <p>21 together on that flight?</p> <p>22 A Yes.</p>

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<p style="text-align: right;">Page 66</p> <p>1 Q Okay. If you could turn the page to page 2 six, paragraph two at the top? It says, "In March 3 2004, you entered the United States at Detroit on a 4 flight from Frankfurt," is that correct? 5 A Yes. 6 Q Okay. So how did you get to Frankfurt? 7 A Flight from Yemen to Frankfurt. 8 Q And did you fly from Detroit to Yemen? In 9 other words, we see that you've entered the United 10 States, but we don't have any information about when 11 you exited. Our next information that you're coming 12 back. I'm asking about when you left. 13 A It's actually mentioned. Just give me a 14 second. 15 (Witness reviewing document.) 16 BY MS. KONKOLY: 17 Q Oh, you know what, I'm sorry. I think I 18 might have missed that too, page seven, paragraph 19 seven. 20 A There you go. 21 Q So July 14th, 2013, you flew from Detroit to 22 Frankfurt?</p>	<p style="text-align: right;">Page 68</p> <p>1 Q Okay. How long did you stay in Yemen? 2 A Until my next entry to the United States, 3 which is on 2004. 4 Q So from July 20, 2003 to March 2004, you 5 lived in Yemen; is that true? 6 MS. MASRI: Objection. Misstates prior 7 testimony and what's written. 8 THE WITNESS: Can you repeat your question? 9 BY MS. KONKOLY: 10 Q I'm understanding, and I'm asking you to 11 clarify, that from July 2003 to March 2004, you 12 returned to live in Yemen with your family; is that 13 accurate? 14 A Correct. 15 Q And on your return flight in March 2004, were 16 you traveling by yourself or with anyone? 17 A With my family, but without my two brothers. 18 Q So your mom, your dad, you and your sister 19 were on that flight? 20 A Correct. 21 Q In March 2004? 22 A Yes.</p>
<p style="text-align: right;">Page 67</p> <p>1 A Yes. 2 Q Okay. Was that direct flight from Detroit to 3 Frankfurt? 4 A To the best of my knowledge, yes. 5 Q Who -- were you traveling by yourself or with 6 anyone? 7 A With the same family I came with. 8 Q Your whole family? 9 A Yes. 10 Q What was the purpose of this trip? 11 A Going back to Yemen. 12 Q To visit family? 13 A We actually moved here to the United States 14 in 2002. Then we decided, my parents decided to go 15 back to Yemen. 16 Q To live? 17 A Yes. 18 Q Okay. How old were you at the time in 2013, 19 I'm sorry, 2003? 20 A Ten years. 21 Q Okay. So you went with them? 22 A Yes.</p>	<p style="text-align: right;">Page 69</p> <p>1 Q Okay. Was that a direct flight from 2 Frankfurt to Detroit? 3 A I believe so. 4 Q Okay, and what was the purpose of this trip? 5 A My mom was pregnant and she -- we came here 6 so she can give birth to my younger sister. 7 Q Okay. So you have a fourth sibling as well 8 now? 9 A Yes. 10 Q Okay. How long did you stay in the United 11 States? 12 A I do not recall exactly, but it was -- it was 13 in June, like it's mentioned in paragraph eight. 14 That's the exit flight. 15 Q So from March to June, you returned to the 16 Detroit area while your mother gave birth to your 17 younger sibling? 18 A Correct. 19 Q Okay, and when you returned in June 2004 from 20 Detroit to Frankfurt, were you traveling by yourself 21 or with others? 22 A With the rest of the family.</p>

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<p>1 Q Okay. Was your whole family on that flight?</p> <p>2 A Yes.</p> <p>3 Q Including all of your siblings?</p> <p>4 A Including my two sisters.</p> <p>5 Q Okay. Was that a direct flight from Detroit</p> <p>6 to Frankfurt, or were there any layovers?</p> <p>7 A I believe so.</p> <p>8 Q You believe it was a direct flight?</p> <p>9 A Yes.</p> <p>10 Q Okay. The next flight I see in these</p> <p>11 responses is paragraph three. It says, "In April</p> <p>12 2012, you entered the United States at Detroit from</p> <p>13 Saudi Arabia." Is that the next time you flew</p> <p>14 internationally? Let me ask you this. Is that the</p> <p>15 next time you entered the United States?</p> <p>16 A Yes.</p> <p>17 Q Okay. So between June of 2004 and April of</p> <p>18 2012, you did not enter the United States?</p> <p>19 A No.</p> <p>20 Q Okay. What was the purpose of this trip in</p> <p>21 April of 2012?</p> <p>22 A I came with my aunt.</p>	<p>1 else were going through the booth to be, you know,</p> <p>2 checked into the United States, and the Customs, they</p> <p>3 took my passport, asked me where I'm coming from,</p> <p>4 what's the reason and why I'm coming to the United</p> <p>5 States. And then they asked me if anyone lives with</p> <p>6 me, and I told them about my aunt that was with me.</p> <p>7 Then they took me and her to the room.</p> <p>8 But they -- I stayed there for approximately</p> <p>9 about two hours for questioning, and they kept asking</p> <p>10 me about where I'm going to stay at, what's my plan in</p> <p>11 the United States, and what have I done outside the</p> <p>12 United States since my last visit. And they also told</p> <p>13 me why I'm coming back to the United States and a lot</p> <p>14 more questions. I do not recall.</p> <p>15 Q Okay. This says the flight was from Saudi</p> <p>16 Arabia to Detroit. Was that a direct flight?</p> <p>17 A Saudi Arabia to Detroit. I do not recall.</p> <p>18 Q Were you living in Saudi Arabia at the time?</p> <p>19 A No.</p> <p>20 Q Were you living in Yemen?</p> <p>21 A Yes.</p> <p>22 Q Did you fly from Yemen to Saudi Arabia?</p>
Page 71	Page 73
<p>1 Q Okay. Is that the same aunt you mentioned</p> <p>2 earlier?</p> <p>3 A Yes.</p> <p>4 Q What was her name again?</p> <p>5 A Arid.</p> <p>6 Q And what was the purpose of this trip?</p> <p>7 A She came here for a hospital examination or</p> <p>8 something, and I came to -- I came with her to help</p> <p>9 her with her kids that she had with her.</p> <p>10 Q Okay. Was anyone else on that flight, aside</p> <p>11 from your aunt and her children and you? Actually,</p> <p>12 were you traveling with anyone besides your aunt and</p> <p>13 her children on that flight?</p> <p>14 A No one was with us, no.</p> <p>15 Q Okay. How old were you at the time?</p> <p>16 A 2012?</p> <p>17 Q Yeah. About 19?</p> <p>18 A Nineteen.</p> <p>19 Q Paragraph three says you were escorted by a</p> <p>20 Customs officer to a private room. Can you tell me</p> <p>21 about that?</p> <p>22 A Okay. So like all the time we -- everyone</p>	<p>1 A I do not recall.</p> <p>2 Q Do you recall how you got from Yemen to Saudi</p> <p>3 Arabia?</p> <p>4 A I was traveling at that time with my dad.</p> <p>5 I'm not sure if I came from Yemen or from somewhere</p> <p>6 else.</p> <p>7 Q Do you recall if you flew into Saudi Arabia?</p> <p>8 A Yes.</p> <p>9 Q Okay. Did you have any trouble boarding your</p> <p>10 flight in Saudi Arabia?</p> <p>11 A There's actually someone did it for us. I</p> <p>12 got straight to the plane.</p> <p>13 Q Okay. So I understand you to be saying the</p> <p>14 were no issues checking into or boarding your flight</p> <p>15 in Saudi Arabia coming to Detroit?</p> <p>16 A Not that I know of.</p> <p>17 Q Okay. Were there any problems on your trip</p> <p>18 from wherever you were flying in from to Saudi Arabia</p> <p>19 prior to the flight to Detroit?</p> <p>20 A No.</p> <p>21 Q Okay. Did you write about the screening</p> <p>22 experience with Customs? When you arrived in Detroit,</p>

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<p style="text-align: right;">Page 74</p> <p>1 did you write about that experience on any of your 2 social media accounts? 3 A No. 4 Q Did you talk to anyone besides your attorney 5 about it? 6 A I did talk. 7 Q Who else besides your attorney did you talk 8 to? 9 A My family and my uncles. 10 Q Okay. Who did you talk to in your family 11 about that? 12 A Mom and dad and my uncles and my cousins. I 13 do not remember who it is that I spoke to exactly, but 14 I remember telling my family about the story and why 15 we were delayed two hours. 16 Q Did you email anyone aside from your 17 attorneys about that experience? 18 A No. 19 Q How long did you stay in the United States on 20 that trip with your aunt in April 2012? 21 A In paragraph nine, that's my exit on July 22 2012 from JFK to Saudi Arabia.</p>	<p style="text-align: right;">Page 76</p> <p>1 THE WITNESS: I did not understand that 2 question. 3 MS. KONKOLY: Were there any consequences 4 that followed from the two hours that you spent with 5 Customs at the Detroit airport in April 2012? 6 MS. MASRI: Same objection. Sorry, same 7 objection. 8 THE WITNESS: There is. My family was 9 worried about where I was and since it was the, you 10 know, it took long time for me to travel back to the 11 United States. So my family was worried about me. I 12 remember leaving there and I got so many phone calls 13 from my family. 14 From my uncle and my cousin that were waiting 15 for us, they were -- I remember they were panicking 16 where have we been. It's been more than two hours 17 since our flight arrived, and also my mom was calling 18 to find out where have we -- where did we disappear. 19 That's what led me to tell my whole family why we were 20 delayed and chosen to be questioned and searched. 21 BY MS. KONKOLY: 22 Q Is that the first time in your life that you</p>
<p style="text-align: right;">Page 75</p> <p>1 Q So you stayed from April to July 2012? 2 A Correct. 3 Q Were you in the Detroit area that whole time? 4 A No. I was in Toledo. 5 Q You were in Toledo, okay. Did you fly 6 domestically during that time? 7 A I do not recall. 8 Q It's possible that you did? 9 A I'm not sure. 10 Q Do you believe that your experience with 11 Customs at the Detroit airport in April 2012 was 12 because you were on a watch list? 13 MS. MASRI: Objection, calls for a legal 14 conclusion, calls for speculation. Objection as to 15 form. Answer if you know. 16 THE WITNESS: It was chosen. I'm not sure 17 why they chose me in specific. 18 MS. KONKOLY: Were there any specific 19 consequences for the delay that you encountered at 20 Customs in Detroit in April 2012? 21 MS. MASRI: Objection, calls for a legal 22 conclusion. Objection as to form.</p>	<p style="text-align: right;">Page 77</p> <p>1 encountered additional screening or searching at an 2 airport? 3 A Yes. 4 Q So we'll turn to paragraph nine. It says, 5 "In July 2012, you exited from JFK to Saudi Arabia." 6 Is that accurate? 7 A To the best of my knowledge, yes. 8 Q Okay, and did you fly from Detroit to JFK on 9 the first leg of that trip? 10 A Yes. 11 Q Is that the trip that we talked about 12 earlier, paragraph one on page 13? 13 A Yes. 14 Q Is it a direct flight from Detroit to JFK? 15 A I believe so. 16 Q Was it a direct flight from JFK to Saudi 17 Arabia? 18 A I do not recall. 19 Q Were you traveling alone or with anyone on 20 that flight? 21 A With my aunt and her kids. 22 Q Okay. What was the purpose of this trip in</p>

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<p style="text-align: right;">Page 78</p> <p>1 July 2012?</p> <p>2 A Going back to where she was living in the</p> <p>3 United States, in Saudi Arabia, sorry.</p> <p>4 Q Okay. Did you return to Yemen to live at</p> <p>5 that time?</p> <p>6 A Give me a second. I do not recall.</p> <p>7 Q I believe you testified that you were living</p> <p>8 in Yemen prior to this trip that you took with your</p> <p>9 aunt for medical care. Is that accurate?</p> <p>10 A I was living in Yemen, but like I mentioned</p> <p>11 earlier, my dad was all over the Middle East for work,</p> <p>12 and I remember I was with him when I came to Saudi</p> <p>13 Arabia to meet my aunt, travel to the United States.</p> <p>14 Then when I came back, I am not sure if he was in</p> <p>15 Yemen or somewhere else. But I remember flying to</p> <p>16 meet, to go back with him.</p> <p>17 Q Okay.</p> <p>18 A For wherever he was.</p> <p>19 Q To stay with your dad?</p> <p>20 A Yes.</p> <p>21 Q In the Middle East?</p> <p>22 A Correct.</p>	<p style="text-align: right;">Page 80</p> <p>1 A Yes.</p> <p>2 Q And I'm trying to figure out how long that</p> <p>3 period of time was?</p> <p>4 A It was until my next entry to the United</p> <p>5 States, in July 2013.</p> <p>6 Q Is that in paragraph ten?</p> <p>7 A I'm sorry. I take that back. It was -- it</p> <p>8 was in --</p> <p>9 Q The next one I see is October 2012, paragraph</p> <p>10 four.</p> <p>11 A Yes, until that time.</p> <p>12 Q So between July 2012 and October 6, 2012, you</p> <p>13 were traveling with your father?</p> <p>14 A Correct.</p> <p>15 Q Okay. Were you flying with your father?</p> <p>16 A Yes.</p> <p>17 Q How frequently were you flying?</p> <p>18 A I do not recall.</p> <p>19 Q Was it weekly?</p> <p>20 A No.</p> <p>21 Q Was it monthly?</p> <p>22 A Yes.</p>
<p style="text-align: right;">Page 79</p> <p>1 Q Okay. Did you travel around with him in the</p> <p>2 Middle East?</p> <p>3 A Between the Middle East and South Africa.</p> <p>4 Q Okay. So you rejoined him in July 2012?</p> <p>5 A Correct.</p> <p>6 Q Okay. How long did you stay with him,</p> <p>7 traveling with him in the Middle East and North</p> <p>8 Africa?</p> <p>9 MS. MASRI: Objection, misstates prior</p> <p>10 testimony.</p> <p>11 THE WITNESS: I do not recall.</p> <p>12 MS. MASRI: I believe he said South Africa,</p> <p>13 just to clarify.</p> <p>14 BY MS. KONKOLY:</p> <p>15 Q Oh, South Africa?</p> <p>16 A Yes.</p> <p>17 Q Okay. Was it more than a month?</p> <p>18 A Traveling?</p> <p>19 Q Yeah. You said you returned to stay with</p> <p>20 your dad, and I understand your testimony to be that</p> <p>21 you moved from place to place with him for a period of</p> <p>22 time?</p>	<p style="text-align: right;">Page 81</p> <p>1 Q So would you say you took at least three or</p> <p>2 four trips during that period by airline?</p> <p>3 A Around that.</p> <p>4 Q Okay. Were they all international flights?</p> <p>5 A Yes.</p> <p>6 Q Okay. Were there possibly more than three or</p> <p>7 four trips during that period?</p> <p>8 A I'm not sure.</p> <p>9 Q Did you try to search for those flights when</p> <p>10 you were responding to these questions?</p> <p>11 A Yes.</p> <p>12 Q Paragraph four. When you returned from Yemen</p> <p>13 to Detroit in 2012, what was the purpose of this trip?</p> <p>14 A In 2012, I came back to the United States to</p> <p>15 attend college and live here.</p> <p>16 Q Okay. Is that when you enrolled at Henry</p> <p>17 Ford?</p> <p>18 A Yes.</p> <p>19 Q Let me go back just a little bit. What</p> <p>20 countries, when you were traveling with your dad in</p> <p>21 the Mideast and to South Africa, what countries did</p> <p>22 you visit with your dad between July and October 2012?</p>

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<p>1 A The ones I still remember are Ethiopia.</p> <p>2 Q Which one?</p> <p>3 A Ethiopia.</p> <p>4 Q Oh, Ethiopia.</p> <p>5 A Okay, and that's all I can remember.</p> <p>6 Q South Africa?</p> <p>7 A No. It's in South Africa. Ethiopia is in</p> <p>8 South Africa. Not the country South Africa.</p> <p>9 Q Okay. Were there any countries in the Middle</p> <p>10 East you recall traveling to with your father?</p> <p>11 A I do not remember.</p> <p>12 Q What does your father do?</p> <p>13 A Are you asking what was his job?</p> <p>14 Q Yeah. I was trying to get a sense for why</p> <p>15 the travel.</p> <p>16 A He was -- he had a business, a farming</p> <p>17 business that I was helping him with, basically moving</p> <p>18 papers and contracts.</p> <p>19 Q A farming business?</p> <p>20 A Yeah. It's called Elhady Ingami (ph) Farms.</p> <p>21 Q Okay. Does he sell farm equipment?</p> <p>22 A He sells cows and sheeps.</p>	<p>1 Q Did you have any issues at the location of</p> <p>2 your layover between Yemen and Detroit?</p> <p>3 A No.</p> <p>4 Q When you arrived in Detroit, it says that CBP</p> <p>5 agents were waiting for you. How do you know they</p> <p>6 were waiting for you?</p> <p>7 A Because the minute I arrived, there was</p> <p>8 agents, one agent in each booth until I walked to the</p> <p>9 booth and my turn, it's time for my turn to walk into</p> <p>10 the booth. I walked in and another agent walked into</p> <p>11 the booth with a guy -- with the agent that was there,</p> <p>12 and he entered my information and the agent that was</p> <p>13 at the booth talked with another agent that came to</p> <p>14 the booth, and they told me to follow that agent that</p> <p>15 came to the booth when I walked into the booth.</p> <p>16 Q Okay, and what happened?</p> <p>17 A And then they took me to a room where I was</p> <p>18 asked what I was doing in Yemen, if I joined any</p> <p>19 groups. Do I know anyone? Do I have any relationship</p> <p>20 with Al-Garda and bin Laden and all the terrorist</p> <p>21 groups in Yemen?</p> <p>22 They asked me what's the reason of my visit,</p>
Page 83	Page 85
<p>1 Q Okay. Was it just you and your dad or was</p> <p>2 anybody else traveling with you?</p> <p>3 A Just me and my dad.</p> <p>4 Q Okay. Let's go back to your trip on October</p> <p>5 6, 2012 from Yemen to Detroit. Was that a direct</p> <p>6 flight from Yemen to Detroit?</p> <p>7 A There was a stop, but I do not recall where.</p> <p>8 Q Okay. So it was Yemen to somewhere, and</p> <p>9 somewhere to Detroit?</p> <p>10 A Probably yes.</p> <p>11 Q Do you remember if that intermediate stop was</p> <p>12 inside or outside the United States?</p> <p>13 A I'm not sure.</p> <p>14 Q Okay. Did you have any issues checking into</p> <p>15 your flight in Yemen?</p> <p>16 A No.</p> <p>17 Q Did you have any issues going through</p> <p>18 security in Yemen?</p> <p>19 A No.</p> <p>20 Q Did you have any issues boarding your flight</p> <p>21 in Yemen?</p> <p>22 A No.</p>	<p>1 what's my plans and also my luggage were searched and</p> <p>2 details, and my phone was taken and searched, and</p> <p>3 there was a camera recording everything that I was</p> <p>4 asked right in front of me.</p> <p>5 Q Whose camera?</p> <p>6 A The agent that was in the room.</p> <p>7 Q Okay. Was it your camera?</p> <p>8 A No.</p> <p>9 Q Okay. How long did -- how long did they</p> <p>10 question you for?</p> <p>11 A I do not recall exactly. It was about six</p> <p>12 hours.</p> <p>13 Q How do you know it was six hours?</p> <p>14 A My watch on me.</p> <p>15 Q Okay. Did you take notes?</p> <p>16 A No.</p> <p>17 Q Did you talk to anyone but your attorney</p> <p>18 about it at the time?</p> <p>19 A I did actually talk to my family about it,</p> <p>20 because they were worried and the same panic happened</p> <p>21 in the whole family, because I was -- I was being</p> <p>22 delayed and my relatives that were waiting for me</p>

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<p style="text-align: right;">Page 86</p> <p>1 outside the airport waited for more than six hours, 2 not knowing what happened to me. 3 The same thing happened to my mom. She was 4 in a panic mode. Nobody knew where I was, and I also 5 asked them if I can at least inform my cousins or and 6 my uncle. I do not remember who was, who came for me, 7 picked me up from the airport. 8 But I asked the agents if I can at least 9 inform them that I'm being questioned and so they can 10 at least know where I am. But they asked, they told 11 me that I can't have any contact with them until I 12 finish my questioning or searched. 13 Q Do you recall what time your flight landed? 14 A No. 15 Q Was it morning, afternoon, evening? 16 A It was in the daytime. I'm not sure exactly. 17 Q Do you recall what time of day it was when 18 you were able to join your family? 19 A No. 20 Q Did you email anyone other than your attorney 21 about this experience at the time? 22 A No.</p>	<p style="text-align: right;">Page 88</p> <p>1 that followed from this experience with Customs in 2 October 2012? 3 MS. MASRI: Same objection. 4 THE WITNESS: This questioning was basically 5 my whole family was, you know, worried why I was 6 selected for the second time into the United States, 7 and why this always happened to me, and just that the 8 whole family worried and got me also from entering or 9 exiting the United States. 10 MS. KONKOLY: Do you believe that your 11 experiences with Customs in October 2012 is because 12 you were on a watch list? 13 MS. MASRI: Objection, calls for a legal 14 conclusion. Calls for speculation. Objection as to 15 form. 16 THE WITNESS: I do not know. 17 BY MS. KONKOLY: 18 Q Can you turn to paragraph ten? It says, "In 19 July 2013, you exited the United States on a flight to 20 Yemen." Is that accurate? 21 A Yes, around July or around July. 22 Q Okay. Can you be more specific than the</p>
<p style="text-align: right;">Page 87</p> <p>1 Q And I can't recall if I've asked you this 2 already or not for this question. Were you traveling 3 alone or with anyone on this trip? 4 A Alone. 5 Q Was there anyone you knew who witnessed these 6 events? 7 A No. My relatives that were waiting for me, 8 they knew I was delayed and they know my flight 9 arrived six hours before, and I did not exit until 10 approximate six hours after. 11 Q But inside the airport, you didn't run into 12 anyone that you knew? 13 A No. 14 Q Okay. Were there any specific consequences 15 for this delay with Customs upon your return in 16 October 2012? 17 MS. MASRI: Objection, calls for a legal 18 conclusion. Calls for speculation. Objection as to 19 form. 20 THE WITNESS: I did not understand that 21 question. Can you repeat it? 22 MS. KONKOLY: Were there any consequences</p>	<p style="text-align: right;">Page 89</p> <p>1 United States? Were you leaving from Detroit? 2 A I'm not sure. 3 Q You don't recall where you flew out of? 4 A No. 5 Q Do you recall if it was a direct flight to 6 Yemen? 7 A There has to be a stop between the United 8 States and Yemen. I'm not sure where I was. 9 Q You had a layover somewhere? 10 A Yes. I'm not sure if it's in the United 11 States or outside, but there was a layover somewhere. 12 Q Okay. Were you traveling by yourself or with 13 anyone on this trip? 14 A I'm not sure if my brother was with me. 15 Q Which brother -- 16 A Moneeb. 17 Q What was the purpose of this trip? 18 A Back to visit my mom and dad in Yemen. 19 Q Was Yemen your final destination? 20 A Yes. 21 Q Did you cross any other international borders 22 while you were abroad?</p>

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<p style="text-align: right;">Page 90</p> <p>1 A I'm not sure.</p> <p>2 Q Did you possibly fly through the United Arab</p> <p>3 Emirates?</p> <p>4 A That's on my way back to the United States.</p> <p>5 Q Okay. On your way back?</p> <p>6 A To the United States.</p> <p>7 Q Okay.</p> <p>8 A Not going back to Yemen.</p> <p>9 Q Okay, okay. So there were -- there was a</p> <p>10 layover somewhere. You don't think it was in the UAE?</p> <p>11 A I think it was in Paris.</p> <p>12 Q Paris?</p> <p>13 A Yes.</p> <p>14 Q Okay.</p> <p>15 A I'm not sure, because I remember stopping in</p> <p>16 Paris with my brother. I don't know if that was on</p> <p>17 the way to Yemen or after stopping in Dubai, then</p> <p>18 Paris, then the United States, going back here.</p> <p>19 Q Okay, and this was to visit your family back</p> <p>20 in Yemen?</p> <p>21 A Correct.</p> <p>22 Q Okay. Who was living in Yemen at that time?</p>	<p style="text-align: right;">Page 92</p> <p>1 Q Did you have any issues going through</p> <p>2 security in Yemen?</p> <p>3 A No.</p> <p>4 Q Did you have any issues at the layover in</p> <p>5 Dubai?</p> <p>6 A No.</p> <p>7 Q And just to clarify, you didn't have any</p> <p>8 issues either checking in or going through security or</p> <p>9 boarding your flights in Dubai?</p> <p>10 A No.</p> <p>11 Q Okay. It says when you -- first of all, it</p> <p>12 says you entered the United States. Where</p> <p>13 specifically did you enter?</p> <p>14 A On August 27th?</p> <p>15 Q 2013.</p> <p>16 A I'm not sure. The last destination was</p> <p>17 Detroit, but I'm not sure if we stopped somewhere else</p> <p>18 in the United States as a layover.</p> <p>19 Q So there might have been another layover in</p> <p>20 the United States?</p> <p>21 A I'm not sure.</p> <p>22 Q Did you look for that itinerary when you were</p>
<p style="text-align: right;">Page 91</p> <p>1 A My whole family.</p> <p>2 Q Okay, and do you recall whether you made any</p> <p>3 trips to other countries during this time you were</p> <p>4 visiting?</p> <p>5 A I do not recall any trips.</p> <p>6 Q Okay. Is it possible that you took some?</p> <p>7 A I do not know.</p> <p>8 Q Did you travel with your dad on business at</p> <p>9 all during this period of time?</p> <p>10 A No.</p> <p>11 Q Paragraph five, back on page six. It says on</p> <p>12 August 27, 2013, you entered the United States on a</p> <p>13 flight from Dubai. Is this your return trip from this</p> <p>14 trip to Yemen you were just discussing?</p> <p>15 A Yes.</p> <p>16 Q Okay. So here you flew back through Dubai?</p> <p>17 A Correct.</p> <p>18 Q Did you fly from Yemen to Dubai?</p> <p>19 A Yes.</p> <p>20 Q Okay. Did you have any issues boarding your</p> <p>21 flight in Yemen?</p> <p>22 A No.</p>	<p style="text-align: right;">Page 93</p> <p>1 responding to this question?</p> <p>2 A Yes, and I did not find any.</p> <p>3 Q Do you recall where you encountered Customs?</p> <p>4 A Are you asking where?</p> <p>5 Q Yeah. Was it at Detroit or was it in a</p> <p>6 different city?</p> <p>7 A That was in Detroit.</p> <p>8 Q Okay. But there may have been another stop</p> <p>9 in the United States before you got to the Detroit?</p> <p>10 A I'm not sure. I don't think so.</p> <p>11 Q Okay. What happened when you arrived at</p> <p>12 Detroit?</p> <p>13 A I was escorted to the same thing happened.</p> <p>14 When I reached the booth, there was agent the minute</p> <p>15 my -- I'm sorry, go back. The minute the agent</p> <p>16 scanned my passport at the scanner, he closed the</p> <p>17 window and called on his radio for agents came to the</p> <p>18 booth.</p> <p>19 They asked me if I'm here with anyone and I</p> <p>20 told them that my brother that was with me also. They</p> <p>21 scanned his passport. They called for another agent.</p> <p>22 They came, took us to our luggage. They waited with</p>

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<p style="text-align: right;">Page 94</p> <p>1 us. We picked up our luggage and then they took me 2 and my brother and our luggage to the, a different 3 room, where they took everything in our luggage and 4 asked us about every detail. 5 From clothes, where we got them from and from 6 the gifts that we had for relatives here, why and for 7 who they are. They also searched my wallet and asked 8 me detail about each card, when I got it, who's it for 9 and also business cards that I had there. They asked 10 me details about the people and the business cards. 11 There was also pictures for my relatives and 12 family I always keep on my wallet. They asked me 13 about them. They took them to make copies of 14 everything in my wallet. They also took my phone and 15 asked me to open it so they can -- they asked me to 16 open the password, and then they took it back to a 17 different room and gave it back to me before I left. 18 It took about, I don't know if it's an hour 19 or two until they gave me back my phone. But they 20 made me take everything that was my jacket, my shoes, 21 everything again and pat me down. There was also SIM 22 cards that I had in my wallet. They asked me where</p>	<p style="text-align: right;">Page 96</p> <p>1 THE WITNESS: At the airport? 2 BY MS. KONKOLY: 3 Q Yeah, at the airport. 4 A No. 5 Q Did you talk to anyone aside from your 6 attorney about this? 7 A I talked to my family and my friends. 8 Q What friends did you talk to? 9 A I do not recall. 10 Q How many people would you say that you talked 11 to? 12 A I'm not sure. 13 Q More than five? 14 A Yes. 15 Q More than five friends? 16 A Yes. 17 Q Did you post about this experience on any of 18 your social media accounts? 19 A No. 20 Q Did you email about this to anyone but your 21 attorney? 22 A No.</p>
<p style="text-align: right;">Page 95</p> <p>1 did I use them, under who's name are they, what's 2 their number and where I bought them from. 3 They asked me about pictures that I had on my 4 phone and when did I took them, who are these people 5 and my phone, pictures and also contacts that I had 6 there. They asked me about some of them. They just 7 -- after they came back from their room, they asked me 8 about contact and phone numbers that I had there, and 9 who are these people and what's my relationship and 10 when did I know them from, each details about each 11 contact and phone number and pictures that I had at 12 that time. 13 Q You said you were traveling with your 14 brother? 15 A Yes. 16 Q Which one? 17 A Moneeb. 18 Q Were you traveling with anyone else? 19 A No. 20 Q Was there anyone else you knew who witnessed 21 this incident? 22 MS. MASRI: Objection, calls for speculation.</p>	<p style="text-align: right;">Page 97</p> <p>1 Q Did you write about it in a journal or a 2 diary or anywhere else? 3 A No. 4 Q Have you ever kept a journal? 5 A Yes. 6 Q Have you written about any of the other 7 flights or travel experiences that we've talked about 8 so far in your journal? 9 A Have I wrote? 10 Q Yeah. Have you written about any of the 11 travel, anything we've talked about in today's 12 deposition? Have you written about that in your 13 journal? 14 A I'm not sure. I do not recall. 15 Q Okay. Do you still have your journal? 16 A No. 17 Q Okay. What years did you keep a journal? 18 A I'm sorry? 19 Q What years did you keep a journal? 20 A It was between 2010 and 2014. 21 Q Okay. Did you write in it daily? 22 A No.</p>

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<p>1 Q Weekly?</p> <p>2 A No, just whenever I liked. Sometimes it</p> <p>3 takes months; sometimes days. I lost it anyway.</p> <p>4 Q Okay. When did you lose it?</p> <p>5 A I'm not sure.</p> <p>6 Q Did you start another one?</p> <p>7 A No.</p> <p>8 Q Were there any consequences that were</p> <p>9 specific to this experience with Customs that we were</p> <p>10 just talking about?</p> <p>11 MS. MASRI: Objection, calls for a legal</p> <p>12 conclusion. Calls for speculation. Objection as to</p> <p>13 form.</p> <p>14 THE WITNESS: Can you repeat that question?</p> <p>15 MS. KONKOLY: Were there any consequences</p> <p>16 that followed from your experience with Customs that</p> <p>17 we were just discussing?</p> <p>18 MS. MASRI: Same objections.</p> <p>19 THE WITNESS: Are you referring to paragraph</p> <p>20 four?</p> <p>21 BY MS. KONKOLY:</p> <p>22 Q Let me check. Five. We're talking about</p>	<p>1 Q Spell it.</p> <p>2 A T-A-H-E-R.</p> <p>3 Q Okay, and other one?</p> <p>4 A Badeel, B-A-D-E-E-L.</p> <p>5 Q Okay. Do they both live in the Detroit area?</p> <p>6 A Yes.</p> <p>7 Q Okay, and you said the FBI agents left their</p> <p>8 cards with your uncles?</p> <p>9 A Yes.</p> <p>10 Q Were those cards given to you?</p> <p>11 A No. They just -- they just called me and</p> <p>12 gave me the phone number that was on there.</p> <p>13 Q And did you call the agent back?</p> <p>14 A I did.</p> <p>15 Q You did?</p> <p>16 A Yes.</p> <p>17 Q Okay. When did you make that phone call?</p> <p>18 A I'm not sure.</p> <p>19 Q What did you discuss with the FBI agent?</p> <p>20 A I was asked about details about groups in</p> <p>21 Yemen, terrorist groups and if I joined them, and even</p> <p>22 though I said no, I did not join anything, I was also</p>
Page 99	Page 101
<p>1 your return trip from Dubai to the United States;</p> <p>2 correct?</p> <p>3 A Yes. There is actually a lot of consequence</p> <p>4 that followed that. After coming back from Dubai and</p> <p>5 all the questioning and I had in my phone got taken,</p> <p>6 and I was asked about the pictures and all the SIM</p> <p>7 cards that I had, I had the agents came to my house</p> <p>8 where I listed that I was going to be living. And</p> <p>9 also to other relatives that have the same last name.</p> <p>10 Agents came to their house looking for me. I</p> <p>11 was at the time staying with my cousin, and they just</p> <p>12 came to my uncle's house, two of my uncle's houses</p> <p>13 looking for me. They left their card. I believe they</p> <p>14 were the FBI based on what they mentioned to my</p> <p>15 uncles, and they left their phone number and asked my</p> <p>16 uncles to deliver a message that they want to talk to</p> <p>17 me as soon as possible.</p> <p>18 That was within a month from my day, month to</p> <p>19 two months from when I entered the United States.</p> <p>20 Q Who were the uncles who the FBI came to</p> <p>21 visit?</p> <p>22 A Taher Elhady.</p>	<p>1 asked if I joined military groups and I said no. I</p> <p>2 was asked about terrorist names, bin Laden and other</p> <p>3 knowing terrorist people that I used to hear in the</p> <p>4 social media or TV, if I know them personally, if I</p> <p>5 know where they live and any details about them.</p> <p>6 All my answers were no to that, and I was</p> <p>7 also asked who I'm living with, where I will be</p> <p>8 staying, what's my plans in the United States, if I'm</p> <p>9 working or not. Basically, everything about my plans</p> <p>10 in the future and who, where I could be possibly</p> <p>11 living at that time, and if I have any contact with</p> <p>12 people in Yemen other than my family. That's it.</p> <p>13 Q How long did that phone conversation last?</p> <p>14 A More than 40 minutes.</p> <p>15 Q Okay. Did you ever talk to an FBI agent on a</p> <p>16 different occasion?</p> <p>17 A I did. I received more than phone call from</p> <p>18 FBI after that.</p> <p>19 Q A different phone call?</p> <p>20 A Yeah.</p> <p>21 Q Okay. What was the other phone call?</p> <p>22 A I do not recall what date exactly, but there</p>

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<p>1 was a call from an FBI agent called me and basically</p> <p>2 asked me the same questions, but different people.</p> <p>3 Asked me about my school and all that, and then about</p> <p>4 a month later or something, or more than a month, I'm</p> <p>5 not sure, I got the same phone call from the same FBI</p> <p>6 agent.</p> <p>7 Told me where I was and I told them at</p> <p>8 school, and he said --</p> <p>9 Q He told you where you were?</p> <p>10 A Yes. He asked me where I was.</p> <p>11 Q He asked you where you were?</p> <p>12 A Yes.</p> <p>13 Q Okay.</p> <p>14 A And I told him I'm at school right now, and</p> <p>15 he said I know you're at school. Where exactly in</p> <p>16 school, and I was shocked because I was walking to my</p> <p>17 class at that time. I was like what do you mean</p> <p>18 exactly where I am in school, and he said I have --</p> <p>19 I'm at the security building at your school right now.</p> <p>20 I know you're at school. Just tell me which building</p> <p>21 exactly so I can come and give you some documents.</p> <p>22 I told him right now I'm walking to my class.</p>	<p>1 A No.</p> <p>2 Q Okay. I understand that from your testimony</p> <p>3 there were two different phone calls, plus this third</p> <p>4 one at the time the agent wanted to meet you on</p> <p>5 campus?</p> <p>6 A Yes.</p> <p>7 Q So three altogether?</p> <p>8 A To the best of my knowledge, yes. There was</p> <p>9 many missed calls that I received I remember, but I</p> <p>10 was in class or busy with something else. But they</p> <p>11 left me a voicemail but it was private phone number,</p> <p>12 so it does not show in my voicemail.</p> <p>13 Q Do you recall the agent's name?</p> <p>14 A I believe it was Josh.</p> <p>15 Q Josh. Do you remember the last name?</p> <p>16 A No.</p> <p>17 Q Was it the same agent that you talked to on</p> <p>18 all three occasions?</p> <p>19 A No.</p> <p>20 Q Was it three different agents or was --</p> <p>21 A The first one was a lady that I spoke to.</p> <p>22 Q Do you recall her name?</p>
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<p>1 What kind of documents, and I need to talk to my</p> <p>2 attorney about this before I receive any documents or</p> <p>3 talk to you. He told me that my cell phone was, you</p> <p>4 know, being -- you know, they've been listening to my</p> <p>5 phone calls and everything, and he said we just want</p> <p>6 to talk to you and give you notice that we've been</p> <p>7 search your phone and your phone calls and all that.</p> <p>8 I told him I'm walking to my class. I</p> <p>9 believe I had an exam at that point, and I told him I</p> <p>10 don't want to talk or see him until I talk to my</p> <p>11 attorney about this. It could be after class. But he</p> <p>12 told me okay, if you don't want to come right now,</p> <p>13 don't worry about it. That's it.</p> <p>14 Q So did you meet him?</p> <p>15 A No.</p> <p>16 Q Did you ever meet him?</p> <p>17 A No.</p> <p>18 Q Did you ever receive the documents that he</p> <p>19 wanted to give you?</p> <p>20 A No.</p> <p>21 Q Did you -- okay. You never got the documents</p> <p>22 that he wanted to give you?</p>	<p>1 A No.</p> <p>2 Q Okay. Was Josh the person that you spoke to</p> <p>3 on the second occasion or the third occasion or both?</p> <p>4 A Both, second and third.</p> <p>5 Q Okay. If I can have you turn back to Exhibit</p> <p>6 A. Paragraph 157 is on page 31.</p> <p>7 A What paragraph was that?</p> <p>8 Q 157. It states, "On December 2nd, 2015, FBI</p> <p>9 Special Agent Josh Allen contacted Mr. Elhady and</p> <p>10 informed him that his phone was being tapped, and that</p> <p>11 all his calls were being listened to by the FBI." Is</p> <p>12 that referring to the third conversation you</p> <p>13 described?</p> <p>14 A That's the third phone call.</p> <p>15 Q That's the one when you were on campus?</p> <p>16 A Yes.</p> <p>17 Q Okay. It's 12:38. Do you want to take a</p> <p>18 short lunch break?</p> <p>19 MS. MASRI: Yeah.</p> <p>20 MS. KONKOLY: How long do you need?</p> <p>21 MS. MASRI: How are you doing on time? We</p> <p>22 have late flights or he has a late flight today so --</p>

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<p style="text-align: right;">Page 106</p> <p>1 MS. KONKOLY: We need to go through the rest 2 of his travel and the rest of the questions that you 3 should be familiar with by now so -- 4 MS. MASRI: I mean does -- 5 MS. KONKOLY: I'd prefer a short lunch break, 6 but tell me how much you would like. 7 MS. MASRI: Can we do 45 minutes? 8 MS. KONKOLY: Sure. 9 MS. MASRI: Does that work? Okay. What time 10 is it right now? 11 MS. KONKOLY: It's 12:40, so let's say to 12 1:30? 13 MS. MASRI: Yeah, that works. 14 (Whereupon, at 12:40 p.m., a luncheon recess 15 was taken.) 16 17 18 19 20 21 22 23</p>	<p style="text-align: right;">Page 108</p> <p>1 from Chicago to Detroit on August 23rd, 2017. Do you 2 recall that flight? 3 A Yes. 4 Q I believe that's the flight where you were 5 asked to change your seat three times; is that 6 correct? 7 A Correct. 8 Q Okay. What reasons were you given for being 9 asked to change your seat? 10 A I did not know. The flight attendant came to 11 me the first time he told me that there is a family 12 that needs to sit together, so if I can move to a 13 different seat in the middle row. And then I moved, 14 but when I moved, the only one lady came and sit. I 15 didn't see no family. 16 And then I sat there, and then again, the 17 same flight attendant came and asked me to move my 18 seat to all the way in the back, right in the middle 19 between two guys, which is a seat I did not, wasn't 20 comfortable with. I asked her again if I can move 21 from that seat because I'm not comfortable to sit 22 right between two guys, and she told me she will try</p>
<p style="text-align: right;">Page 107</p> <p>1 AFTERNOON SESSION 2 CONTINUED EXAMINATION BY COUNSEL FOR DEFENDANTS 3 BY MS. KONKOLY: 4 Q Mr. Elhady, do you understand that you're 5 still under oath? 6 A Yes. 7 Q I have one follow-up question from the trips 8 that we talked about this morning before we move on. 9 Regarding the trip, this is page 13, paragraphs five 10 and six. We discussed your flight on August 23rd from 11 Chicago to Detroit, August 23rd, 2015. You recall 12 that, right? 13 MS. MASRI: Which exhibit? 14 THE WITNESS: Which exhibit is that? 15 BY MS. KONKOLY: 16 Q Oh, I'm sorry. We're on the same exhibit, 17 Exhibit F. 18 A Page 13. 19 Q Page 13, paragraph five and then six on the 20 next page, which is the same flight. 21 A Okay. Can you repeat your question? 22 Q We discussed earlier this morning your flight</p>	<p style="text-align: right;">Page 109</p> <p>1 but she never came back. 2 Q So did you move once or twice? 3 A Twice. 4 Q You moved twice and you asked the third time 5 you tried to make a move? 6 A Yes. 7 Q But she wasn't able to accommodate that? 8 A Right. 9 Q Okay. If we could turn back to -- let me ask 10 you this. Do you believe that those seat changes had 11 anything to do with your being on a watch list? 12 MS. MASRI: Objection, calls for a legal 13 conclusion. Calls for speculation. Objection as to 14 form. 15 BY MS. KONKOLY: 16 Q You can answer. 17 A Yes. That was something I haven't 18 experienced or none of the other people that were in 19 the flight had the same thing, plus when I was in the 20 third seat, I was talking with the person on the left 21 of me and his questions were kind of weird, the 22 questions, where I'm from, where I'm coming from, what</p>

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<p style="text-align: right;">Page 110</p> <p>1 am I doing, and I kept talking to him and, you know, 2 going back and forth just to make him feel, you know 3 -- 4 I tried to think that it's not -- I wasn't 5 directed to sit next to him, but I realized he have 6 military background and/or criminal justice 7 background, based on his terms and knowledge that I 8 have. 9 Q Okay. I'm confused about how that relates to 10 your status on a watch list. Can you explain that? 11 A I felt like I was basically directed to sit 12 next to that person for some reason. 13 Q Okay, and he asked you about where you were 14 traveling from? 15 A He was asking me questions like A, how are 16 you, where are you coming from? But I felt like it 17 wasn't normal, you know, to have these kind of 18 questions just from a person, you know, I first met. 19 It was kind of off, I felt. 20 Q Okay. He was asking you about where you were 21 traveling from? 22 A Yes.</p>	<p style="text-align: right;">Page 112</p> <p>1 A I haven't took any flights between that 2 period. 3 Q Okay. You made border crossings by car? 4 A Correct. 5 Q Okay, but no flights in and out of the 6 country between August of 2013 and June of 2017? 7 A Correct. 8 Q Okay. It says you were going to Turkey. 9 Where were you specifically going to? 10 A I went to Turkey. 11 Q To Istanbul? 12 A Yes. 13 Q Was Istanbul your final destination? 14 A No. 15 Q What was your final destination? 16 A I went after Turkey to Saudi Arabia. 17 Q You were in Saudi Arabia? 18 A Yeah. 19 Q Okay. What was the purpose of this trip? 20 A Attend my brother's wedding and go get 21 married after. 22 Q You guys got married at the same time?</p>
<p style="text-align: right;">Page 111</p> <p>1 MS. MASRI: Objection, misstates prior 2 testimony. 3 BY MS. KONKOLY: 4 Q How long did that conversation last? 5 A The whole trip. 6 Q How long was the trip? 7 A I'm not sure, from Chicago to Detroit. What 8 is that, three hours? I'm not sure. 9 Q Okay. Did you ask him any questions about 10 where he was traveling from? 11 A No. 12 Q If you could turn to page eight, 13 interrogatory or paragraph 11? 14 A Exhibit F. 15 Q Exhibit F. So then June 11th, 2017, you flew 16 from JFK to Turkey. Is that accurate? 17 A Yes. 18 Q Okay. So the last trip we discussed before 19 the break was your flight from Dubai, with a layover 20 somewhere to Detroit in August 2013. Did you take any 21 international trips in between August 2013 and June of 22 2017?</p>	<p style="text-align: right;">Page 113</p> <p>1 A No. It was about two weeks different. 2 Q Okay. Were both weddings in Saudi Arabia? 3 A No. He got married in Saudi Arabia. I got 4 married in Yemen. 5 Q Okay. Paragraph 11 says you flew from JFK to 6 Istanbul or to Turkey, but you've clarified Istanbul. 7 How did you get to JFK? 8 A Driving? 9 Q You drove? 10 A Yeah. 11 Q Okay. Did you park at the airport? 12 A I rented a car and dropped it at the JFK car 13 return. 14 Q Okay, and why did you drive on the portion of 15 the trip from Detroit to JFK? 16 A Because I was traveling with my whole family, 17 and it was cheaper if we get a car than pay for 18 tickets from Detroit to JFK. 19 Q Okay, and so when you said with your whole 20 family, who was with you on that trip? 21 A It was me, my mom, my dad and my two little 22 sisters, Kholood and Arige (ph), and my brother</p>

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<p style="text-align: right;">Page 114</p> <p>1 Moneeb.</p> <p>2 Q Okay. Did you have any issues checking into</p> <p>3 your flight at JFK?</p> <p>4 A Yes. It was actually our luggage were</p> <p>5 searched.</p> <p>6 Q Let me start with the check-in counter. Did</p> <p>7 you have any issues just obtaining a boarding pass at</p> <p>8 the counter?</p> <p>9 A Yeah. Actually at -- it wasn't me that was</p> <p>10 checking in. It was my dad that had all our passports</p> <p>11 and flight tickets, who approached the counter. There</p> <p>12 was an issue based on what they said is system issue,</p> <p>13 and they moved to another counter so they can process</p> <p>14 our luggage, and they finished processing everyone at</p> <p>15 the old or the first counter.</p> <p>16 Q Okay. How long did that take?</p> <p>17 A About an hour.</p> <p>18 Q Okay. Do you recall looking at your watch?</p> <p>19 How do you know it was an hour?</p> <p>20 A Because we arrived there two or three hours</p> <p>21 before and based on the estimate that I had, we stayed</p> <p>22 an hour until we got to the gate.</p>	<p style="text-align: right;">Page 116</p> <p>1 Istanbul?</p> <p>2 A Yes.</p> <p>3 Q Okay. No stops in between JFK and Istanbul?</p> <p>4 A No.</p> <p>5 Q Okay, and from Istanbul you proceeded on to</p> <p>6 Saudi Arabia?</p> <p>7 A Yes.</p> <p>8 Q What city?</p> <p>9 A In Saudi Arabia? Are you asking about --</p> <p>10 Q Yeah. What city, what airport?</p> <p>11 A It was in El-Medina.</p> <p>12 Q Medina?</p> <p>13 A Yeah.</p> <p>14 Q Was it a direct flight from Istanbul to</p> <p>15 Medina?</p> <p>16 A Yes.</p> <p>17 Q And how long did you stay in Saudi Arabia?</p> <p>18 A For 30 days.</p> <p>19 Q How many?</p> <p>20 A Thirty days.</p> <p>21 Q Thirty days, and then you went from Saudi</p> <p>22 Arabia to Yemen?</p>
<p style="text-align: right;">Page 115</p> <p>1 Q Okay. Were you keeping track of time at the</p> <p>2 time?</p> <p>3 A I always keep track.</p> <p>4 Q Okay. Did you encounter any particular</p> <p>5 difficulties passing through the security checkpoint?</p> <p>6 A No.</p> <p>7 Q Okay. Did you encounter any issues boarding</p> <p>8 your flight once you got to the gate?</p> <p>9 A Can you repeat that question?</p> <p>10 Q Were there any issues boarding your flight</p> <p>11 once you arrived at the gate?</p> <p>12 A Isn't that the same question we discussed.</p> <p>13 Q No. I'm asking about various points. So</p> <p>14 there -- the last question was about passing through</p> <p>15 the security checkpoint, and then my next question is</p> <p>16 -- my current question is when you get to the gate,</p> <p>17 the seats outside the flight.</p> <p>18 A Oh, no.</p> <p>19 Q Okay. Did you have any issues once you were</p> <p>20 on the plane?</p> <p>21 A I don't -- no.</p> <p>22 Q Okay. Was it a direct flight from JFK to</p>	<p style="text-align: right;">Page 117</p> <p>1 A Yes.</p> <p>2 Q Did you fly from Saudi Arabia to Yemen?</p> <p>3 A I flew from the -- I was not able to cross</p> <p>4 the border from Saudi Arabia to Yemen. It was -- I</p> <p>5 think they were closing the border at that time.</p> <p>6 Q They were closing the border to everyone?</p> <p>7 A Yes.</p> <p>8 Q Okay.</p> <p>9 A So I had to fly from Saudi Arabia to Oman,</p> <p>10 and then take a bus to Yemen.</p> <p>11 Q Okay, and that was because of a border</p> <p>12 protocol that was in place, just generally speaking at</p> <p>13 that point in time?</p> <p>14 A Yes. It was based on my visa. They said if</p> <p>15 apparently my visa for Saudi Arabia was if I enter by</p> <p>16 flight I have to leave by flight. So I had to leave</p> <p>17 to Oman by flight and then take a bus to Yemen.</p> <p>18 Q Okay. Were you traveling with your family</p> <p>19 for that leg of your journey as well?</p> <p>20 A No. I left them in Saudi Arabia. They came</p> <p>21 back to the United States, and I went to Oman.</p> <p>22 Q Okay. So you traveled by yourself from Saudi</p>

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<p style="text-align: right;">Page 118</p> <p>1 Arabia to Oman, and then on to Yemen?</p> <p>2 A Correct.</p> <p>3 Q Did you get married in Yemen?</p> <p>4 A Yes.</p> <p>5 Q Was your family present for the wedding?</p> <p>6 A Not my parents and siblings, but my uncle, my</p> <p>7 grandma, my other of my family, not my closer mom and</p> <p>8 dad and siblings.</p> <p>9 Q Okay. Did you talk to anyone aside from your</p> <p>10 attorney about your screening at JFK on your way out</p> <p>11 to Saudi Arabia at the time?</p> <p>12 A No.</p> <p>13 Q Did you post about that experience on any of</p> <p>14 your social media accounts?</p> <p>15 A No.</p> <p>16 Q Did you email anyone aside from your attorney</p> <p>17 about that experience?</p> <p>18 A No.</p> <p>19 Q Did you write about it anywhere else?</p> <p>20 A No.</p> <p>21 Q Was there anyone else you knew, aside from</p> <p>22 your family who you were traveling with, who was</p>	<p style="text-align: right;">Page 120</p> <p>1 A Yes.</p> <p>2 Q If you could flip back to paragraph six, page</p> <p>3 seven? It says, "On August 23rd, 2017, you entered</p> <p>4 the United States at Chicago." Is that accurate?</p> <p>5 A On paragraph six? Was that paragraph six?</p> <p>6 Q Uh-huh, page seven.</p> <p>7 A Can you repeat your question?</p> <p>8 Q I'm just establishing that -- your statement</p> <p>9 here that you entered the United States by air at</p> <p>10 Chicago on August 23rd, 2017 is accurate?</p> <p>11 A Correct.</p> <p>12 Q It says you were coming from Rome?</p> <p>13 A Correct.</p> <p>14 Q So when we last left off you were in Yemen</p> <p>15 for your wedding.</p> <p>16 A Uh-huh.</p> <p>17 Q Did you go from Yemen on to Rome?</p> <p>18 A I went from Yemen to Egypt, because that was</p> <p>19 the only flight you can take from Yemen is Egypt or</p> <p>20 Jordan. So I fly to Egypt and then from Egypt to Rome</p> <p>21 and then Rome to United States.</p> <p>22 Q Was Cairo the city you passed through in</p>
<p style="text-align: right;">Page 119</p> <p>1 present to witness that experience?</p> <p>2 A Just my family.</p> <p>3 Q Okay. Were there any specific consequences</p> <p>4 for the screening you received at JFK on your way to</p> <p>5 Saudi Arabia?</p> <p>6 MS. MASRI: Objection, calls for a legal</p> <p>7 conclusion. Calls for speculation.</p> <p>8 BY MS. KONKOLY:</p> <p>9 Q You can answer.</p> <p>10 A I did not understand the question honestly.</p> <p>11 Q Were there any consequences that followed</p> <p>12 from the screening that you received at JFK on your</p> <p>13 way to Saudi Arabia in June 2017?</p> <p>14 MS. MASRI: Same objection.</p> <p>15 THE WITNESS: Just a delay and rush to the</p> <p>16 gate, because we kept that in mind that I might get</p> <p>17 stopped for or delayed. So we made time for that, and</p> <p>18 arrived there three hours before the flight. So we</p> <p>19 had to rush to the gate.</p> <p>20 BY MS. KONKOLY:</p> <p>21 Q Okay. You caught your flight to Turkey</p> <p>22 though?</p>	<p style="text-align: right;">Page 121</p> <p>1 Egypt?</p> <p>2 A Yes.</p> <p>3 Q Did you stay in Cairo or was that just a</p> <p>4 layover at the airport?</p> <p>5 A It was a layover, but I left the airport. I</p> <p>6 did not stay at the airport. It was -- how long was</p> <p>7 it, it was -- I remember I had to spend the night in</p> <p>8 Cairo.</p> <p>9 So it was a long layover, because the Yemeni</p> <p>10 Airlines does not -- you cannot connect it with other</p> <p>11 flights. So you have to take it and make a space</p> <p>12 between another flight in case you get delays because</p> <p>13 you always get delays.</p> <p>14 Q Okay. Were you traveling by yourself or with</p> <p>15 anyone on that trip?</p> <p>16 A By myself.</p> <p>17 Q Okay. So you traveled by yourself from Yemen</p> <p>18 to Cairo and then on to Rome?</p> <p>19 A Correct.</p> <p>20 Q Okay. Is this right after you got married?</p> <p>21 A Correct.</p> <p>22 Q Did you stay in Rome or was that just a way</p>

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<p style="text-align: right;">Page 122</p> <p>1 to get back to the United States?</p> <p>2 A It was the same layover for I think like</p> <p>3 eight hours.</p> <p>4 Q Okay, and then was your flight direct from</p> <p>5 Rome to -- what paragraph are we on again?</p> <p>6 A Chicago.</p> <p>7 Q Yeah, to Chicago?</p> <p>8 A Correct.</p> <p>9 Q There were no layovers between Rome and</p> <p>10 Chicago?</p> <p>11 A No.</p> <p>12 Q Did you have any issues checking into your</p> <p>13 flight at Rome, at the Rome airport?</p> <p>14 A No.</p> <p>15 Q Did you have any issues passing through</p> <p>16 security in Rome?</p> <p>17 A In Rome, I do not recall.</p> <p>18 Q Did you have any issues boarding your flight</p> <p>19 once you reached the gate at Rome?</p> <p>20 A I'm sorry, can you repeat that?</p> <p>21 Q Did you have any issues boarding your flight</p> <p>22 once you reached the gate area at the Rome airport?</p>	<p style="text-align: right;">Page 124</p> <p>1 A It was approximately an hour, and we went</p> <p>2 through this question before. The lane in Chicago,</p> <p>3 you've asked me this at the beginning of this --</p> <p>4 Q Well, I'm asking now about paragraph six. I</p> <p>5 don't think we've talked about this, because this is</p> <p>6 2017 and I think we talked about Chicago to Detroit,</p> <p>7 and now I'm talking about your arrival at Chicago.</p> <p>8 A Okay.</p> <p>9 Q Paragraph six says that you were questioned</p> <p>10 for 30 minutes at the Chicago airport. Do you see</p> <p>11 that?</p> <p>12 A Okay.</p> <p>13 Q Paragraph six says that you were questioned</p> <p>14 for 30 minutes at the Chicago airport. Do you see</p> <p>15 that?</p> <p>16 A Yeah.</p> <p>17 Q So was it 30 minutes or was it an hour?</p> <p>18 A It was approximate 30 minutes to an hour. I</p> <p>19 wasn't sure.</p> <p>20 Q Were you by yourself or with anyone at the</p> <p>21 Chicago airport?</p> <p>22 A By myself.</p>
<p style="text-align: right;">Page 123</p> <p>1 A No.</p> <p>2 Q Did you have any issues on the plane once you</p> <p>3 boarded the plane in Rome?</p> <p>4 A No.</p> <p>5 Q So your interrogatory states that when you</p> <p>6 landed at Chicago, CBP agents were waiting for you.</p> <p>7 How do you know that they were waiting for you?</p> <p>8 A I did not state they were waiting for me. I</p> <p>9 stated that they were -- they escalated me to a</p> <p>10 different lane.</p> <p>11 Q Okay. So you don't believe that they were</p> <p>12 waiting for you?</p> <p>13 A They were not waiting.</p> <p>14 Q Okay. So I understand you to be saying that</p> <p>15 you waited in line and when you came out to the front</p> <p>16 of the line to talk to the officers, they put you in a</p> <p>17 separate line?</p> <p>18 A Correct.</p> <p>19 Q Okay, and what happened?</p> <p>20 A I was delayed an extra hour for extra</p> <p>21 screening and search to my luggage and carry-on.</p> <p>22 Q Okay. Are you sure it was an hour?</p>	<p style="text-align: right;">Page 125</p> <p>1 Q Was there anyone you knew who witnessed the</p> <p>2 30 second or the 30-minute delay?</p> <p>3 A No, there was no one. It was 30 minutes to</p> <p>4 an hour, but there was no one.</p> <p>5 Q Did you talk to anyone other than your</p> <p>6 attorneys about that experience at the time?</p> <p>7 A I did talk to my family and my friend called</p> <p>8 me when I was at the airport.</p> <p>9 Q Who was that?</p> <p>10 A My friend?</p> <p>11 Q Yeah.</p> <p>12 A His name is Gareeb.</p> <p>13 Q Can you spell that?</p> <p>14 A Okay. It's G-A-R-E-E-B.</p> <p>15 Q Okay, and he happened to call you as this was</p> <p>16 happening?</p> <p>17 A He texted me and I called him.</p> <p>18 Q Okay. What did you tell him?</p> <p>19 A He was just asking if I arrived, and I told</p> <p>20 him yes, and he just asked me how is everything going,</p> <p>21 how long it's going to take me to arrive in Detroit.</p> <p>22 He just want to talk to me, and then I told him I</p>

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<p style="text-align: right;">Page 126</p> <p>1 don't know. I'm here being delayed for extra 2 screening and search. So I don't know if I'm going to 3 catch my flight to Detroit, but if I do, I'm going to 4 arrive at the flight time, which I don't remember what 5 was it. But I told him I'm going to arrive on time if 6 I get off here early. 7 Q Okay. Did you catch your flight to Detroit? 8 A Yes. 9 Q Did you post or write about this experience 10 at the Chicago airport on any of your social media 11 accounts? 12 A No. 13 Q Were there any consequences from your 14 interactions with Customs in Chicago in August 2017? 15 MS. MASRI: Objection, calls for a legal 16 conclusion. Calls for speculation. Objection as to 17 form. 18 THE WITNESS: I do not understand that 19 question. 20 MS. KONKOLY: Were there any consequences 21 that followed from your interactions with Customs at 22 the Chicago airport in August 2017?</p>	<p style="text-align: right;">Page 128</p> <p>1 flight in Detroit? 2 A No. 3 Q Did you have any issues going through 4 security in Detroit? 5 A No. 6 Q Did you have any issues boarding your flight 7 in Detroit once you got to the gate? 8 A No, no. 9 Q Okay. Did you have any issues on your plane 10 once you boarded the flight from Detroit? 11 A No, but there -- it was an issue. It was the 12 person was sitting next to me also asked me to change 13 my seat. I shouldn't call it an issue honestly, 14 because he asked me to change my seat so his daughter 15 can come next to him, and I asked the flight attendant 16 to move me to a seat. 17 There was behind me four other seats and he 18 moved me and then he came two minutes after to move me 19 to a different seat, which is I did move. 20 Q Okay. It initially started because the 21 person who was sitting next to you wanted to sit next 22 to his daughter?</p>
<p style="text-align: right;">Page 127</p> <p>1 MS. MASRI: Same objections. 2 THE WITNESS: Just the fact, the effect on me 3 that I get delayed every flight, every time I cross a 4 border. It just makes me hate traveling and crossing 5 the border more and more, and just makes me hate even 6 moving from the city I'm at. Just the same feeling 7 every time. 8 BY MS. KONKOLY: 9 Q Have you flown internationally since August 10 2017? 11 A No. 12 Q Did you fly to D.C. for your deposition 13 today? 14 A Yes. 15 Q When did you fly in? 16 A Yesterday. 17 Q Okay. From Detroit to which airport? 18 A D.C. airport, the Ronald, Ronald something 19 airport. 20 Q Ronald Reagan? 21 A Yes. 22 Q Did you have any issues checking into your</p>	<p style="text-align: right;">Page 129</p> <p>1 A Wants his daughter to come next to him. 2 Q Okay, and do you allege that these seat moves 3 had anything to do with your being on a watch list? 4 MS. MASRI: Objection, calls for a legal 5 conclusion. Calls for speculation. 6 THE WITNESS: Yes. 7 BY MS. KONKOLY: 8 Q What makes you believe that? 9 A Because I am always being picked crossing the 10 border or traveling, and I've been -- I always feel 11 based on my experience at airports and at the border 12 that I'm being picked, and the same reason these 13 happened to me are the same reason that I'm being 14 picked to move my seat out of the -- everyone in the 15 flight. So it has, must have something to relate to 16 that, of course, being on the watch list. 17 Q So you believe that his -- the reason he 18 provided, that he wanted his daughter to sit next to 19 him was a pretext? 20 A Yes. 21 MS. MASRI: I'm going to object, that it 22 misstates prior testimony.</p>

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<p style="text-align: right;">Page 130</p> <p>1 BY MS. KONKOLY:</p> <p>2 Q Did he have a daughter who in fact came up</p> <p>3 and sat next to him after you moved?</p> <p>4 A I don't know.</p> <p>5 Q We would like to request the boarding pass</p> <p>6 from your flight last night, and also your boarding</p> <p>7 pass from your return flight, whenever that may be.</p> <p>8 MS. MASRI: We can discuss something like the</p> <p>9 discovery outside of the deposition.</p> <p>10 MS. KONKOLY: I'm noting for the record that</p> <p>11 we are considering that request made.</p> <p>12 MS. MASRI: That's fine. There's also a</p> <p>13 court, various court orders regarding supplements, and</p> <p>14 that is the reason why I'm stating that we should</p> <p>15 discuss it outside the deposition.</p> <p>16 BY MS. KONKOLY:</p> <p>17 Q If you can look at paragraph 12 on page</p> <p>18 eight. Well wait, let me pause. Mr. Elhady, do you</p> <p>19 understand that you have an obligation to hold onto</p> <p>20 your boarding passes and produce them to the</p> <p>21 defendants in this case?</p> <p>22 A I do not understand the question.</p>	<p style="text-align: right;">Page 132</p> <p>1 Q Okay. How long did you stay?</p> <p>2 A About a day or no, I'm sorry. Let me take</p> <p>3 that back. I stayed more. Give me a second. I</p> <p>4 stayed three to five days.</p> <p>5 Q Okay. If you look at paragraph 19 on the</p> <p>6 next page, it says that "On August 30th, 2014, you</p> <p>7 entered the United States by land at the Detroit-</p> <p>8 Windsor Tunnel." Is this the return trip, the return</p> <p>9 journey on the same trip?</p> <p>10 MS. MASRI: Counsel, you're comparing 12 and</p> <p>11 19 or 11 and 19?</p> <p>12 MS. KONKOLY: 12 and 19.</p> <p>13 MS. MASRI: Oh okay, sorry.</p> <p>14 THE WITNESS: I believe that was the return,</p> <p>15 yes.</p> <p>16 BY MS. KONKOLY:</p> <p>17 Q Okay. So that looks like nine days later?</p> <p>18 A Yes.</p> <p>19 Q Okay. Were you traveling by yourself or with</p> <p>20 anyone?</p> <p>21 A I was traveling -- I was traveling into</p> <p>22 Canada with my friend, but on the way back I came on a</p>
<p style="text-align: right;">Page 131</p> <p>1 Q Okay. Do you understand that as plaintiff</p> <p>2 who has put his travel at issue in this lawsuit, you</p> <p>3 have an obligation to preserve your boarding passes</p> <p>4 for any flights that you may engage in?</p> <p>5 A What do you mean by "preserve"?</p> <p>6 Q Do you still have your boarding pass from</p> <p>7 your flight from Detroit to D.C.?</p> <p>8 A Yes.</p> <p>9 Q Okay, and I am asking you to keep that and to</p> <p>10 give it to your attorney so that she can give it to</p> <p>11 us, and the same for your flight back to Detroit. I</p> <p>12 just want to make sure you understand that.</p> <p>13 A Okay, okay.</p> <p>14 Q On page eight, paragraph 12, it says that you</p> <p>15 exited the United States by land at the Windsor Tunnel</p> <p>16 on August 21st, 2014. Is that accurate?</p> <p>17 A August 21st. I believe so.</p> <p>18 Q Is that the first time you cross the United</p> <p>19 States-Canada border by land?</p> <p>20 A Yes.</p> <p>21 Q Okay, and what was the purpose of this trip?</p> <p>22 A Meet my friends in Canada.</p>	<p style="text-align: right;">Page 133</p> <p>1 taxi.</p> <p>2 Q Okay, by yourself?</p> <p>3 A Yes, with a taxi driver.</p> <p>4 Q Okay. So did your friend drive his car on</p> <p>5 the trip into Canada?</p> <p>6 A He lives in Canada and he came to pick me up.</p> <p>7 Q Okay, and were -- did you run into any issues</p> <p>8 crossing the border back into the United States at</p> <p>9 that time?</p> <p>10 A Coming back to the --</p> <p>11 Q Yes.</p> <p>12 A Okay. When I came back from the first time</p> <p>13 from Canada to the United States through the tunnel, I</p> <p>14 was stopped, me and the taxi driver, for four hours</p> <p>15 and I was actually the taxi driver, they just asked</p> <p>16 him a couple of questions, if he had any relationship</p> <p>17 with me or know me before, and he just stated that he</p> <p>18 just met me before he picked me up.</p> <p>19 I don't know him. He doesn't know me. So</p> <p>20 they had him wait in the waiting room. But for me, I</p> <p>21 was questioned, searched for about four hours, and my</p> <p>22 wallet was taken and searched very detailed, and they</p>

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<p style="text-align: right;">Page 134</p> <p>1 asked me everything about everything I did in Canada, 2 what I'm doing in the United States to -- am I 3 attending school, where do I work and everything about 4 myself. 5 They also took my phone and did not return it 6 until two months after that. They called me and they 7 asked me where I was, and I told them I'm at work. 8 They said they have to give me back my phone, and I 9 mentioned that I was way far from the tunnel. So if 10 they can just mail it to me, but they refused. 11 They said we have to give it to you by 12 person, and they -- two agents, I told them where I 13 was located at work, and they came, two agents came 14 and gave it to me. 15 Q Your phone and your wallet, or just your 16 phone? 17 A My phone. 18 Q Did they return your wallet? 19 A Yes. 20 Q At the same time? 21 A Yeah. 22 Q So they gave both back to you at the same</p>	<p style="text-align: right;">Page 136</p> <p>1 the United States, and told me I'm sorry, there's been 2 an issue that I never went through. I cannot continue 3 having you in my car. Just pay me for the time and -- 4 the time and from Canada to this border, and I'll go 5 back to Canada. 6 Q So how did you get back into the United 7 States? 8 A I was at the United States border. I'm not 9 sure if I requested Uber or I stopped a taxi, but I do 10 not recall how did I get home. But it was some kind 11 of taxi that took me home. 12 Q Okay. Was there anyone else you knew who was 13 there for that incident on August 30th, 2014? 14 MS. MASRI: Objection as to form, calls for 15 speculation. 16 THE WITNESS: No. No one other than the taxi 17 driver. 18 BY MS. KONKOLY: 19 Q Okay. Did you write about this experience on 20 any of your social media accounts at the time? 21 A No. 22 Q Did you talk to anyone other than your</p>
<p style="text-align: right;">Page 135</p> <p>1 time? 2 MS. MASRI: Objection as to form. Misstates 3 prior testimony. 4 THE WITNESS: They gave me my phone back. 5 BY MS. KONKOLY: 6 Q Okay. When did you get your wallet back? 7 A I got it at the same day of the Customs. 8 Q At the bridge? 9 A Yes. It was actually at the tunnel, not the 10 bridge. 11 Q At the tunnel. So they gave you your wallet 12 back at the tunnel before you crossed back into the 13 United States? 14 A Correct. 15 Q Okay. Did they let the taxi driver leave 16 before you left? 17 A They let him -- they told him if he wants to 18 go, it was after 30 minutes, after they finished 19 questioned him, and they told him you can go right 20 now. But he refused. He wanted to wait so he can get 21 paid for -- he waited four hours so I can pay him, and 22 after I paid him he refused to continue taking me to</p>	<p style="text-align: right;">Page 137</p> <p>1 attorney about this experience? 2 A I did talk to my uncles, my cousins, my 3 family and my friends that I was with in Canada. 4 Q Okay. How many people is that, how many 5 friends? 6 A In Canada? 7 Q Yeah. 8 MS. MASRI: Are you asking how many friends 9 he spoke with about the incident? 10 BY MS. KONKOLY: 11 Q Yes. 12 A Oh. 13 Q How many friends did you speak with about the 14 incident? 15 A About three, four. 16 Q Okay. Did you email anyone aside from your 17 attorney about this incident? 18 A No. 19 Q Did you write about this incident anywhere 20 else? 21 A No. 22 Q Do you believe that the delay you encountered</p>

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<p>1 at the border is because you were on a watch list?</p> <p>2 MS. MASRI: Objection, calls for a legal</p> <p>3 conclusion, calls for speculation. Objection as to</p> <p>4 form.</p> <p>5 THE WITNESS: Yes.</p> <p>6 BY MS. KONKOLY:</p> <p>7 Q Okay, and what's the basis for that belief?</p> <p>8 A Because when everyone was crossing the</p> <p>9 border, there was a long line and I saw everyone in</p> <p>10 that line get stopped for two to five minutes. Then</p> <p>11 they take the exit out of the tunnel.</p> <p>12 But when I got to the border, the agent at</p> <p>13 the booth swiped my ID and looked confused looking at</p> <p>14 the screen of the computer and closed his window, and</p> <p>15 called on the radio, and then opened the window again</p> <p>16 and told me to turn right and park right there. There</p> <p>17 will be agents there waiting for me and follow their</p> <p>18 directions, and he just put an orange sticker on my</p> <p>19 windshield.</p> <p>20 Q Okay. Were there any consequences that</p> <p>21 followed from your experience at the tunnel on August</p> <p>22 30th, 2014?</p>	<p>1 2014. Is that accurate?</p> <p>2 A Correct.</p> <p>3 Q Okay, and if you look at paragraph 20 on page</p> <p>4 ten, we're looking at the same month, September 2014.</p> <p>5 It says you entered the United States by land at the</p> <p>6 Windsor Tunnel. It says you recall two other entries</p> <p>7 during this month. So I just want to make sure these</p> <p>8 are -- these two paragraphs are talking about the same</p> <p>9 trips. Is that accurate?</p> <p>10 A Yes.</p> <p>11 Q Okay. What was the purpose of your three</p> <p>12 trips to Canada in September 2014?</p> <p>13 A My friends in Canada, they wanted a student</p> <p>14 visa to get in Canada. So they were unable to cross</p> <p>15 the border. So I was the person that had to go, so we</p> <p>16 can spend the weekend or go out together. We just</p> <p>17 used to, you know, drive around, go to restaurants in</p> <p>18 Canada, Windsor, and we just we used to hang out.</p> <p>19 And all these trips that I made in September</p> <p>20 and also most of the trips that I made in September</p> <p>21 was between Thursday and Sunday, was on my weekends,</p> <p>22 just to spend my weekends with my friends that I knew</p>
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<p>1 MS. MASRI: Objection, calls for a legal</p> <p>2 conclusion, calls for speculation. Objection as to</p> <p>3 form.</p> <p>4 BY MS. KONKOLY:</p> <p>5 Q You can answer.</p> <p>6 A Consequence was it was my first time crossing</p> <p>7 back to the United States, so --</p> <p>8 Q It was or it wasn't?</p> <p>9 A It was.</p> <p>10 Q Okay.</p> <p>11 A So I was -- I was doubting if that has to do</p> <p>12 with all the questioning. I've been or treatment I've</p> <p>13 been getting at the airports, or just something normal</p> <p>14 they do at the tunnel. But from the next crossing for</p> <p>15 the border, I realized it wasn't something normal</p> <p>16 because I was getting treated the same and it just get</p> <p>17 worse and worse from every time I cross the border.</p> <p>18 Q If you look at paragraph 13 on page eight, it</p> <p>19 says "On September 2014 you exited the United States</p> <p>20 by land at the Windsor Tunnel again."</p> <p>21 A Yes.</p> <p>22 Q It says you recall three exits in September</p>	<p>1 from high school.</p> <p>2 Q Okay, friends from Yemen who were living in</p> <p>3 Canada at the time?</p> <p>4 A Yes.</p> <p>5 Q Okay, and did you travel alone or with anyone</p> <p>6 else on these trips?</p> <p>7 A Are you referring to September trips?</p> <p>8 Q September 2014.</p> <p>9 A I was traveling alone?</p> <p>10 Q For all three trips?</p> <p>11 A Yes.</p> <p>12 Q Okay, and what happened the first time you</p> <p>13 crossed over into Canada in September 2014?</p> <p>14 A September into Canada?</p> <p>15 Q Yeah.</p> <p>16 A Wait, give me a second.</p> <p>17 (Witness reviewing document.)</p> <p>18 BY MS. KONKOLY:</p> <p>19 Q I'd like to just hear what you remember</p> <p>20 today, about what happened.</p> <p>21 A Okay, because there's different incidents</p> <p>22 each time. I don't know which one are you referring</p>

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<p>1 to.</p> <p>2 Q Well let's take them in order. Tell me what</p> <p>3 you remember about your trips into Canada in September</p> <p>4 2014. I don't want you to read from the</p> <p>5 interrogatory. I want to know what you remember.</p> <p>6 A So I remember that I got scenario each time.</p> <p>7 So if you're referring to September trips, I remember</p> <p>8 informing my attorney about each trip that I had, and</p> <p>9 we --</p> <p>10 MS. MASRI: Just make sure you don't disclose</p> <p>11 the substance of the conversations.</p> <p>12 THE WITNESS: Yes. So I wrote them down, and</p> <p>13 if you're asking about a specific trip --</p> <p>14 Q I'm asking what you remember today, as you</p> <p>15 sit here, about your trips into Canada in 2014.</p> <p>16 A I just remember I was stopped the same exact</p> <p>17 way for more than five hours each time, and every time</p> <p>18 I used to come back it was like I mentioned. It was a</p> <p>19 weekend, so there will be a long line, and everyone</p> <p>20 will take the exit except me, will get the sticker on</p> <p>21 my windshield and I take a different route.</p> <p>22 And it was the same agent or supervisor that</p>	<p>1 first phone was taken and they told me they're not</p> <p>2 sure how long it's going to take for them to return it</p> <p>3 back to me, so I had to get another phone. When that</p> <p>4 phone came back, I just put it aside and kept using my</p> <p>5 new phone.</p> <p>6 So when I crossed the border, they took my</p> <p>7 new phone. I had to get a third phone and waited</p> <p>8 until that second phone came back and just put it</p> <p>9 aside next to the first one.</p> <p>10 Q Okay. How long was it before you got your</p> <p>11 phone back?</p> <p>12 A About two months.</p> <p>13 Q Okay, and did you say your wallet was taken</p> <p>14 too?</p> <p>15 A It was not taken. It was taken at the --</p> <p>16 when I entered the tunnel, but they gave it back to me</p> <p>17 when I exited, when I left, when they let me go.</p> <p>18 Q Okay. Did you post about any of your</p> <p>19 experiences crossing the U.S.-Canada border in</p> <p>20 September 2014 on any social media account?</p> <p>21 A I did not post about the experience. I</p> <p>22 posted that I was in Canada when I was in Canada.</p>
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<p>1 used to lead the other agent to search me, ask me</p> <p>2 questions, the same questions all the time. He would</p> <p>3 ask me like really do you have to do this again? It</p> <p>4 seems like you like the treatment that you're getting,</p> <p>5 and also, he would mention I don't know why you do</p> <p>6 this, wasting our time, even though you're getting --</p> <p>7 even though you're going to go through this.</p> <p>8 And I was also, I remember the second time,</p> <p>9 which should be my first time in September crossing</p> <p>10 the border, I was also got my phone taken away, and</p> <p>11 had the same thing. But it was different, that it was</p> <p>12 shipped to me. But after the second time my phone was</p> <p>13 taken away from me, I stopped traveling with phone or</p> <p>14 my wallet.</p> <p>15 I just take my ID, even my cards I keep them.</p> <p>16 I just take cash, my ID and travel, just to help me</p> <p>17 not getting my phone taken or my, you know, wallet</p> <p>18 searched and everything in it.</p> <p>19 Q Was the phone that was taken from you in</p> <p>20 September 2014 the same phone or a different phone</p> <p>21 that was taken earlier?</p> <p>22 A It was a different phone because when my</p>	<p>1 Q Okay, but not about your experience of</p> <p>2 crossing the border?</p> <p>3 A No.</p> <p>4 Q Okay. For any of these trips in September</p> <p>5 2014?</p> <p>6 A No.</p> <p>7 Q Okay. Did you talk to anyone aside from your</p> <p>8 attorneys about your experience crossing the border in</p> <p>9 September 2014?</p> <p>10 A I did talk to my family mostly, and my</p> <p>11 friends about the treatment I've been getting every</p> <p>12 time I cross a border and how worse it's getting for</p> <p>13 me each time.</p> <p>14 Q How many friends did you talk to about those</p> <p>15 experiences?</p> <p>16 A I do not recall.</p> <p>17 Q More than five?</p> <p>18 A Probably, yes.</p> <p>19 Q More than ten?</p> <p>20 A I'm not sure.</p> <p>21 Q Did you write about your experiences crossing</p> <p>22 the border in September 2014 in any other place, like</p>

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<p style="text-align: right;">Page 146</p> <p>1 a journal?</p> <p>2 A No.</p> <p>3 Q Do you believe that your experiences crossing</p> <p>4 the border in September 2014 are because you are on a</p> <p>5 watch list?</p> <p>6 MS. MASRI: Objection, calls for a legal</p> <p>7 conclusion, calls for speculation. Objection as to</p> <p>8 form.</p> <p>9 THE WITNESS: The second time I crossed, I</p> <p>10 believed it wasn't something normal that the Border</p> <p>11 Patrol do. It's just something based on something pop</p> <p>12 up in their system, because every time, I noticed</p> <p>13 every time the person I get to the window, even though</p> <p>14 they seem nice and talking to me at the beginning.</p> <p>15 But after they swipe my card they seemed</p> <p>16 confused and they just close the window right away and</p> <p>17 call for, on the radio. So I realized it was not</p> <p>18 something normal, and must be something to do with the</p> <p>19 -- with being on the watch list.</p> <p>20 BY MS. KONKOLY:</p> <p>21 Q Okay, and how -- for each of your three trips</p> <p>22 in 2014, let's take them one by one. So for the first</p>	<p style="text-align: right;">Page 148</p> <p>1 States to Canada.</p> <p>2 MS. MASRI: I was going to ask for</p> <p>3 clarification actually. I misunderstood the question</p> <p>4 as well.</p> <p>5 THE WITNESS: I misunderstood it too.</p> <p>6 BY MS. KONKOLY:</p> <p>7 Q Okay. So you took three trips in September</p> <p>8 2014. We'll call them trip A, B and C?</p> <p>9 A Correct.</p> <p>10 Q For Trip A, from the United States to Canada,</p> <p>11 how long were you detained at the border?</p> <p>12 A I was not detained on the way to Canada. It</p> <p>13 was normal crossing from the United States to Canada.</p> <p>14 It just one time, I do not recall which one, I was</p> <p>15 stopped randomly, even though there was -- there is no</p> <p>16 agent usually after the booth. But one of the time</p> <p>17 there was, and they were letting everyone go to Canada</p> <p>18 except me. They asked me to do a U turn and go park,</p> <p>19 park where I parked the times before. I was stopped</p> <p>20 for approximately four hours.</p> <p>21 Q So that was one of the times going into</p> <p>22 Canada?</p>
<p style="text-align: right;">Page 147</p> <p>1 time you crossed from the United States into Canada,</p> <p>2 how long were you detained at the border?</p> <p>3 A The first time in September?</p> <p>4 Q The first time in September.</p> <p>5 A It was five hours to six hours.</p> <p>6 Q And the second time you crossed over, going</p> <p>7 from the United States to Canada, how long were you</p> <p>8 detained?</p> <p>9 A It was about that time, five to seven hours.</p> <p>10 Q Five to seven?</p> <p>11 A Yes.</p> <p>12 Q Okay, and the third time you crossed in</p> <p>13 September 2014, about how long were you detained?</p> <p>14 A Five to seven hours.</p> <p>15 Q Okay, and on your return trip, we'll take</p> <p>16 them one by one as well. The first time you crossed</p> <p>17 from Canada to the United States, how long were you</p> <p>18 detained at the border in September 2014, the first</p> <p>19 trip back?</p> <p>20 A In September?</p> <p>21 Q Yeah. So I just asked you -- I hope I was</p> <p>22 clear. I was talking about going from the United</p>	<p style="text-align: right;">Page 149</p> <p>1 A Correct.</p> <p>2 Q During those three trips in September 2014?</p> <p>3 A Yes.</p> <p>4 Q Okay. Did you say that was a random search</p> <p>5 that time?</p> <p>6 MS. MASRI: Objection, misstates prior</p> <p>7 testimony.</p> <p>8 THE WITNESS: I do not know.</p> <p>9 BY MS. KONKOLY:</p> <p>10 Q Okay. On your return trips on Trip A, B and</p> <p>11 C, how long were you detained on your return on Trip A</p> <p>12 in September 2014?</p> <p>13 A From Canada to the United States?</p> <p>14 Q From Canada to the United States.</p> <p>15 A Okay. That's the ones I was referring to</p> <p>16 earlier, six hours. Then the second is five to seven,</p> <p>17 and the third is five to seven. I was not stopped all</p> <p>18 of the time going from United States to Canada except</p> <p>19 one time, and I do not recall which one, and it took</p> <p>20 about four hours.</p> <p>21 Q Okay. If I could have you flip to -- back to</p> <p>22 Exhibit G. We looked at it earlier, page three, the</p>

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<p>1 DHS trip form.</p> <p>2 A Uh-huh.</p> <p>3 Q So there it says you get detained for three</p> <p>4 to six hours. Can you explain why you said three to</p> <p>5 six on your form if it's actually five to seven?</p> <p>6 A It was around six hours for sure, because</p> <p>7 every time I cross the border I get my phone taken</p> <p>8 from me and my watch, and I just remember I cross at</p> <p>9 midnight, around 12:00 and I don't leave until the sun</p> <p>10 is about to rise.</p> <p>11 Q Okay. If I could have you look at paragraph</p> <p>12 14 back in Exhibit F? It says, "On October 4th, 2014,</p> <p>13 you exited the United States into Canada"; is that</p> <p>14 correct?</p> <p>15 A I'm sorry where, what paragraph is that?</p> <p>16 Q Paragraph 14, page eight.</p> <p>17 A Page eight. Can you repeat your question?</p> <p>18 Q I'm just confirming the accuracy of the</p> <p>19 statement here, that says on October 4th, you exited</p> <p>20 the United States by land into Canada?</p> <p>21 A Yes.</p> <p>22 Q Okay. Where, can you be more specific than</p>	<p>1 United States. My car was searched and the carpet,</p> <p>2 even the carpet was tortured and removed, and also the</p> <p>3 same treatment and the same agents that were at the</p> <p>4 border questioning me, giving me the same attitude of</p> <p>5 it's you, come on.</p> <p>6 Are you -- you seem like you like it? What</p> <p>7 do you have in Canada? Are you serious? Someone like</p> <p>8 you should have stopped crossing the border by now.</p> <p>9 It was just some words that hurts and makes me, you</p> <p>10 know, even though I love my friends and want to go see</p> <p>11 them if I can every day, but that made me escalate it</p> <p>12 from going back each weekend to each month or maybe</p> <p>13 more, and try to, you know, avoid crossing the border.</p> <p>14 Q Were you alone or traveling with anyone on</p> <p>15 this trip back into the United States in early October</p> <p>16 2014?</p> <p>17 A Alone.</p> <p>18 Q Was there anyone else who you knew who</p> <p>19 witnessed the events at the border checkpoint in</p> <p>20 October 2014?</p> <p>21 MS. MASRI: Objection, calls for speculation.</p> <p>22 THE WITNESS: No, not at the border. But my</p>
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<p>1 the United States into Canada. What were the cities,</p> <p>2 specific cross point?</p> <p>3 A It was from Detroit to Windsor.</p> <p>4 Q Was that the Windsor Tunnel?</p> <p>5 A Yes.</p> <p>6 Q Okay. What was the purpose of that trip?</p> <p>7 A Just to visit friends.</p> <p>8 Q Okay, the same friends?</p> <p>9 A Yes.</p> <p>10 Q If you look at paragraph 21, it says "In</p> <p>11 early October 2014 you returned from Canada back to</p> <p>12 the United States"; is that correct?</p> <p>13 A Yes.</p> <p>14 Q Is this the same trip as the October 4th,</p> <p>15 2014 crossing we just discussed?</p> <p>16 A Yes.</p> <p>17 Q Okay, and what happened on this crossing back</p> <p>18 into the United States? I'd like to know what you</p> <p>19 remember today.</p> <p>20 A Just I'm not sure which of the trips that I</p> <p>21 crossed. I don't know if it was Trip C on September</p> <p>22 or the early October trip, when I came back to the</p>	<p>1 family used to notice, because each time I come, I</p> <p>2 used to come back home further as 1:00 a.m., but every</p> <p>3 time I get stopped, I do not show up at home until the</p> <p>4 next day, morning, which caused a lot of family, you</p> <p>5 know, family worried. I get home and everyone is</p> <p>6 waiting for me, and my aunt that I was living with at</p> <p>7 the time she -- sometimes she never slept until she</p> <p>8 sees me coming in the next morning.</p> <p>9 BY MS. KONKOLY:</p> <p>10 Q Did you write about this experience crossing</p> <p>11 back into the United States in early October 2014 on</p> <p>12 any of your social media accounts?</p> <p>13 A No.</p> <p>14 Q Did you talk to anyone aside from your</p> <p>15 attorney about that experience?</p> <p>16 A My family and friends.</p> <p>17 Q How many friends?</p> <p>18 A I do not recall.</p> <p>19 Q More than five?</p> <p>20 A I'm not sure.</p> <p>21 Q More than ten?</p> <p>22 A I'm not sure.</p>

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<p style="text-align: right;">Page 154</p> <p>1 Q Did you write about this experience in any 2 other place? 3 A No. 4 Q If you could look at paragraph 15. There it 5 indicates that on October 12th, 2014, you left the 6 United States into Canada. Is that accurate? 7 A Yes. 8 Q Is that also the Detroit-Windsor Bridge 9 Tunnel? 10 MS. MASRI: Objection as to form. The bridge 11 and tunnel are two different -- 12 BY MS. KONKOLY: 13 Q I meant tunnel. Was this the Windsor Tunnel? 14 A Yes. 15 Q Okay. Were you traveling alone or with 16 anyone? 17 A I did travel alone, but I'm not sure if the 18 late October one or the November crossing was with one 19 of my friends that also came to pick me up, like the 20 cross -- we took the bridge. I'm not sure if it's the 21 October 12th or the one in November that was with my 22 friend and we took the bridge.</p>	<p style="text-align: right;">Page 156</p> <p>1 get less than the one before. I have to go up, up. 2 So I believe this one was more than six hours. It was 3 about seven to eight hours waiting, because I remember 4 leaving and it was morning already. 5 Q And was anyone with you on this trip or were 6 you traveling alone? 7 A On my way back, I was alone. 8 Q Okay. Was there anyone else who you knew who 9 was there at the border while you were being detained? 10 A No. 11 Q Did you write or post about this experience 12 on any of your social media accounts? 13 A No. 14 Q Did you write to anyone aside from your 15 attorneys about this experience? 16 A I talked to my family and friends. 17 Q Did you write about it in an email or 18 otherwise to anyone aside from your attorney? 19 A No. 20 Q How many friends did you talk to? 21 A I'm not sure. But I do want to mention one 22 thing, that my friend that crossed with me to Canada,</p>
<p style="text-align: right;">Page 155</p> <p>1 Q Okay. So there was one of these trips where 2 you traveled with a friend and you went by bridge 3 instead of tunnel? 4 A Correct. 5 Q Okay, and what was the purpose of the mid- 6 October trip to Canada? 7 A Just go with my friends, hang out. 8 Q The same friends? They were from Yemen but 9 living in Canada? 10 A Correct. 11 Q Okay. How long did you stay? 12 A I used to stay one to two days maximum. 13 Q Okay, and in paragraph 22, it indicates that 14 you returned in mid-October 2014. Is this paragraph 15 the return trip of the same -- the return leg of the 16 same trip that we're talking about right now? 17 A Yes. 18 Q Okay, and what happened on this crossing into 19 the United States? 20 A Basically a similar scenario. The same 21 officers asking me the same exact questions and it 22 just escalated. What I realized each time does not</p>	<p style="text-align: right;">Page 157</p> <p>1 I believe it was I don't know. I'm not sure if it's 2 the October one or November. When I came back, he 3 came back with me. He actually drove me back. 4 It's one of the two that we went together to 5 Canada. He drove me back to the United States, and he 6 was -- because we came back through the tunnel, he was 7 stopped and they also told me oh no, now you have a 8 friend to come with and they also asked him -- they 9 asked him the same exact questions about my trips to 10 Canada, and basically to confirm if they're true or 11 not. 12 They asked him what we, what I used to do, 13 where we used to go and all the details about my 14 previous trips to Canada. They made him, they stopped 15 him for four hours, you know. They asked, they kept 16 asking him for like four hours, and then they had him 17 wait in the waiting room until they finished 18 questioning me for about seven hours or more, then we 19 left. 20 But after that, he used to cross the border 21 every day or at least five times a week. But after 22 that time, he -- for him crossing the border through</p>

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<p style="text-align: right;">Page 158</p> <p>1 the bridge or the tunnel, I'm not sure, but they 2 stopped him for his first time ever crossing the 3 border being stopped, other than the one being with 4 me, and they asked him the same questions he was asked 5 when he was with me. 6 After finishing questioning him, they told 7 him you're not allowed to cross the border. You have 8 to go back to Canada. He asked why the reason, and he 9 never had this before. They told him we cannot tell 10 you why. Just you're not allowed in the United 11 States. He never had anything in his record, nothing 12 to stop him from crossing the border because he was a 13 Canadian citizen. 14 And after that he -- after that week, he 15 tried to come to the United States and they told him I 16 think we mentioned that to you. You're not allowed in 17 the United States permanent, and thought it was 18 something just at that time. So he was like okay, so 19 what's the reason? They told him we cannot reveal any 20 information. Just we don't want to see you crossing 21 the border again, and please stay away and we don't 22 want to see you here again.</p>	<p style="text-align: right;">Page 160</p> <p>1 know each other since high school. 2 But we -- he just, he tried to stay away from 3 me and every time I tried to call him, and he just 4 mentioned that I wish I never knew you. You caused 5 all this trouble for me. At the beginning he used to 6 make it as a joke, but it became serious when he 7 literally stopped calling me like we used to contact 8 every day. 9 And just the also my friends in Canada, after 10 that used to make fun of me and make fun of -- they 11 told me all the time you're a U.S. citizen and you get 12 stopped at the U.S. border but not at the Canadian 13 border. Your country is treating you like this. When 14 we cross a border, we never used to get treated like 15 this. But you're the citizen one and you get treated 16 like that. 17 They used to ask me some weird questions that 18 really hurt my feelings. The beginning was a joke, 19 but it escalated to all my friends that oh, the 20 American government think Anas is a terrorist, Anas is 21 a -- he get asked all these weird questions. What do 22 you have done Anas, tell us?</p>
<p style="text-align: right;">Page 159</p> <p>1 So since that time, he did not come into the 2 United States until a year or two years after. He got 3 a lawyer in Canada, tried to find out what's the 4 reason of him not being allowed to cross the border 5 like he always used to, and his case went for a year 6 or more, and then his lawyer told him that they -- 7 they told him not to have any contact with anyone. 8 They don't want him to have contact with people in the 9 United States. 10 They did not tell him exactly who, but he was 11 just in the United States, know me and know one other 12 friends. So his lawyer basically asked him who do he 13 know, and his lawyer told him not to contact me 14 because it appears that they are referring to me as 15 being away from me, and he cannot cross the border to 16 see me again. 17 And his case stayed for a year or more, and 18 then he was -- then they allowed him, I'm not sure if 19 it's a year or two years after that, he got a permit 20 or something so he can cross the border. I just after 21 that, after he had his case in Canada, he stopped 22 contacting me, even though we were best friends and we</p>	<p style="text-align: right;">Page 161</p> <p>1 To the point that I start playing in my head 2 what, what kind of person am I, because every time I 3 get treated like this it affects me and how I feel. 4 That caused me basically to try to stay away out of my 5 friends that I was very close with. That's it. 6 Q You kept referring to "they" told your friend 7 he couldn't come into the United States. Who is they? 8 A I'm sorry? 9 Q You kept saying "they" told your friend that 10 he couldn't come into the United States. Who do you 11 mean by they? 12 A The United States Border. 13 Q Okay. Were you present for any of these 14 conversations where they allege that they told him 15 that? 16 A No. His lawyer told him, other than two 17 times he was crossing the border and they stopped him. 18 The Border told him not to come to the United States, 19 and then when he started the case, his lawyer told him 20 the same thing, that the Border are not -- don't want 21 him in the United States because they don't want him 22 to have contact with certain people in the United</p>

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<p style="text-align: right;">Page 162</p> <p>1 States.</p> <p>2 Q Okay. My question is simply yes or no. Were</p> <p>3 you present when these things were allegedly said to</p> <p>4 your friend?</p> <p>5 A No.</p> <p>6 Q Did you hear Border Patrol -- did you</p> <p>7 personally hear Border Patrol say these things to your</p> <p>8 friend?</p> <p>9 A No.</p> <p>10 Q Okay.</p> <p>11 MS. MASRI: Toni, if you're in between stops,</p> <p>12 do you mind really a quick break?</p> <p>13 MS. KONKOLY: Three minutes.</p> <p>14 MS. MASRI: That's fine. Just a quick</p> <p>15 restroom break.</p> <p>16 (Whereupon, a short recess was taken.)</p> <p>17 BY MS. KONKOLY:</p> <p>18 Q Are we back on the record? Mr. Elhady, do</p> <p>19 you understand that you're still under oath?</p> <p>20 A Yes.</p> <p>21 Q If I could have you look at paragraph 16,</p> <p>22 page nine?</p>	<p style="text-align: right;">Page 164</p> <p>1 A Yeah, I'm sorry. Going into Canada, at that</p> <p>2 time on November, I had for the first time different</p> <p>3 scenario, which is the Canadian border stopped me.</p> <p>4 They stopped me and it was weird, because it was the</p> <p>5 first time for them to enter my name in their system</p> <p>6 and get the same reaction that I used to see in the</p> <p>7 agents when I go back to the United States, where he</p> <p>8 close the window and called on the radio and told me</p> <p>9 to turn right. This is on the Canadian side, and they</p> <p>10 asked me to leave my car and they searched my car, and</p> <p>11 then they asked me to go inside, where they questioned</p> <p>12 me and made some phone calls while they're questioning</p> <p>13 me.</p> <p>14 And then they go back to me, ask me to come</p> <p>15 up to the counter and ask me new questions. When I</p> <p>16 answer, they write them down and then they ask me to</p> <p>17 go back to my seat and then they go back. I can see</p> <p>18 them through the window make a phone call, and then</p> <p>19 come back with the same question, I mean with a</p> <p>20 different question.</p> <p>21 And they also -- it seems like, based on what</p> <p>22 I had in this experience, that they were directed to</p>
<p style="text-align: right;">Page 163</p> <p>1 A Okay.</p> <p>2 Q It indicates that in November 2014 you exited</p> <p>3 through the Windsor Tunnel to Canada again?</p> <p>4 A Yes.</p> <p>5 Q And if you could flip to paragraph 23, it</p> <p>6 also says in November 2014 you returned to the United</p> <p>7 States by land at the Windsor Tunnel?</p> <p>8 A Yes.</p> <p>9 Q Are these -- do these paragraphs belong to</p> <p>10 the same trip?</p> <p>11 A Yes.</p> <p>12 Q Okay. If you could tell me what you remember</p> <p>13 about the first leg of that trip, crossing from the</p> <p>14 United States into Canada? I want to know what you</p> <p>15 remember today.</p> <p>16 A Okay. I just remember like I mentioned</p> <p>17 earlier, I'm not sure which one of these was the</p> <p>18 scenario that I was stopped, you know, getting the</p> <p>19 same treatment. It was definitely more time than the</p> <p>20 October one, and just basically the same questions</p> <p>21 over and over.</p> <p>22 Q Okay. That was going into Canada.</p>	<p style="text-align: right;">Page 165</p> <p>1 ask me these questions, and stop me because they</p> <p>2 seemed like they didn't know who I am or what are they</p> <p>3 doing. It was just the something they were instructed</p> <p>4 to do.</p> <p>5 And also, they asked me, they asked me what</p> <p>6 time exactly I'm going back to the United States, and</p> <p>7 if I change that time to give them a phone call to let</p> <p>8 them know if I'm not coming at the time I mentioned to</p> <p>9 them.</p> <p>10 Q How long were you detained at the Canadian</p> <p>11 border on your way into Canada in November 2014?</p> <p>12 A Two to three hours.</p> <p>13 Q Did you write or post about this experience</p> <p>14 on any social media site?</p> <p>15 A No.</p> <p>16 Q Did you talk to anyone aside from your</p> <p>17 attorney about this experience?</p> <p>18 A My friends that were in Canada were waiting</p> <p>19 for me outside the border.</p> <p>20 Q Did you talk to anyone else?</p> <p>21 A Other than my friends, no.</p> <p>22 Q Did you write about this experience anywhere,</p>

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<p style="text-align: right;">Page 166</p> <p>1 aside from emailing your attorney potentially?</p> <p>2 A No.</p> <p>3 Q How long did you stay in Canada this trip?</p> <p>4 A One to two days.</p> <p>5 Q What was the purpose of this trip?</p> <p>6 A Just to see my friends.</p> <p>7 Q Okay, the same friends from Yemen who were</p> <p>8 living in Canada?</p> <p>9 A Yes.</p> <p>10 Q Okay. Were you traveling alone or by</p> <p>11 yourself on the trip from the United States into</p> <p>12 Canada?</p> <p>13 A By myself.</p> <p>14 Q Were you traveling alone or by yourself when</p> <p>15 you returned to the United States?</p> <p>16 A By myself.</p> <p>17 Q Okay. Was there anyone you knew who was</p> <p>18 present, had to be present at the Canadian border when</p> <p>19 you had that experience with the Canadian officials</p> <p>20 that you just discussed?</p> <p>21 MS. MASRI: Objection, calls for speculation</p> <p>22 and objection as to form.</p>	<p style="text-align: right;">Page 168</p> <p>1 the right and have a sticker on my car. The agents</p> <p>2 came to the car, asked me to leave the car and search</p> <p>3 myself and took my phone and handcuffed me inside.</p> <p>4 That was the first time. But I'm not sure if that or</p> <p>5 the December one was also the second one. I was</p> <p>6 approached by four to six agents, asked me to leave</p> <p>7 the car and keep my hands up. This happened at the</p> <p>8 booth. Leave the car, keep my hands up and walk back</p> <p>9 next to the trunk and put my hands on the trunk, and</p> <p>10 two officers or two agents came, handcuffed me and I</p> <p>11 remember seeing there is more than just three agents.</p> <p>12 There was a lot.</p> <p>13 I can feel them walking with me, and just</p> <p>14 looking through the cars, that were guarding through</p> <p>15 other booth, they were all looking at me and pointing</p> <p>16 like what happened to this guy, that you know, a lot</p> <p>17 of agents came to handcuff him and put him inside.</p> <p>18 At that time, I was -- I used to always being</p> <p>19 put in the waiting room and get questioned. But that</p> <p>20 time, I was being put in a cell with only toilet and a</p> <p>21 seat there, and get my watch, my wallet of course,</p> <p>22 everything I had in my pocket, my phone and my watch</p>
<p style="text-align: right;">Page 167</p> <p>1 THE WITNESS: No one was with me.</p> <p>2 MS. KONKOLY: Okay, and there wasn't anyone</p> <p>3 else who you knew who happened to be there?</p> <p>4 MS. MASRI: Same objections.</p> <p>5 THE WITNESS: Not at the border.</p> <p>6 BY MS. KONKOLY:</p> <p>7 Q Okay. What about on the way back? Can you</p> <p>8 tell me what happened on your return trip into the</p> <p>9 United States at the Windsor Tunnel in November 2014?</p> <p>10 I'd like to know what you remember about that today.</p> <p>11 A Okay. So when I came back, I was -- are you</p> <p>12 referring to which one?</p> <p>13 Q I'm talking about the trip that you disclosed</p> <p>14 in paragraph 23, but I want to know what you remember</p> <p>15 about it today, not what you wrote down there?</p> <p>16 A Okay. So I was -- when I'm returning from</p> <p>17 Canada to the United States, I'm not sure which one.</p> <p>18 If you just want the back of my head, from November to</p> <p>19 December, one of the trips I was -- I was -- when I</p> <p>20 got to the booth, I was -- had the same scenario.</p> <p>21 Called on the radio and the first one was</p> <p>22 three agents approached my car instead of me going to</p>	<p style="text-align: right;">Page 169</p> <p>1 taken, and search and more detail for my body.</p> <p>2 The same questions again and again, and they</p> <p>3 used to take an hour or half hour to come back and ask</p> <p>4 me more questions. I also mentioned at that time if I</p> <p>5 can call my attorney, Lena, and spoke to her about the</p> <p>6 kind of treatment that I'm having at that point, and</p> <p>7 they asked me --</p> <p>8 I asked them for my card, the card in my</p> <p>9 wallet and I was like when they give it to me, I was</p> <p>10 like I want to call my lawyer Lena. They told me oh,</p> <p>11 it's okay. You can call her when you get your phone</p> <p>12 back, even though I asked them I want to call her</p> <p>13 right now to tell her what's going on, because I got</p> <p>14 so scared at that point.</p> <p>15 I never been handcuffed in my life. I never</p> <p>16 was in that position where people pointing at me in</p> <p>17 public, feeling like a criminal. I asked them many</p> <p>18 times if I can call my attorney Lena, and the officer</p> <p>19 took the card and mentioned -- and was like oh, Lena.</p> <p>20 He laughed and he was okay, well you can call her when</p> <p>21 we give you your phone back.</p> <p>22 I asked them if I can have my phone so I can</p>

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<p>1 call her, then give it back to them, but they refused</p> <p>2 that. They said the policy is that they cannot give</p> <p>3 me the phone until I leave, and I cannot make phone</p> <p>4 calls until I leave. So I had no choice, just wait</p> <p>5 until I leave so I can call my attorney, and that's</p> <p>6 what happened.</p> <p>7 Q You said you were traveling alone at that</p> <p>8 time?</p> <p>9 A Yes.</p> <p>10 Q Was there anyone else who you knew who was</p> <p>11 there who witnessed those events?</p> <p>12 MS. MASRI: Objection, calls for speculation.</p> <p>13 Objection as to form.</p> <p>14 THE WITNESS: No one I knew.</p> <p>15 BY MS. KONKOLY:</p> <p>16 Q Did you write or post about that experience</p> <p>17 on any of your social media accounts?</p> <p>18 A No.</p> <p>19 Q Did you talk to anyone aside from your</p> <p>20 attorney about that experience at the time?</p> <p>21 A I talked to my friends and my co-workers</p> <p>22 because I was going to work that morning, but it took</p>	<p>1 Q Okay. Did we already spell his name for the</p> <p>2 record earlier?</p> <p>3 A Yes.</p> <p>4 Q Okay. So I understand that the testimony you</p> <p>5 just provided, you're unclear whether that happened in</p> <p>6 November or December of 2014. It was one of those</p> <p>7 crossings? Is that accurate?</p> <p>8 MS. MASRI: Objection as to form.</p> <p>9 THE WITNESS: I mentioned it was one of them.</p> <p>10 I'm not sure which is which.</p> <p>11 BY MS. KONKOLY:</p> <p>12 Q Okay. So on the occasion is not the one that</p> <p>13 you just described, so what we've got to. We've got</p> <p>14 November 2014 and December 2014, and you just told me</p> <p>15 about an experience that I understand to have been</p> <p>16 either November or December; correct?</p> <p>17 A Yes.</p> <p>18 Q Okay. So I'm asking about the other one,</p> <p>19 whichever, whichever way that falls. We don't know</p> <p>20 whether the one you just told us was November or</p> <p>21 December, but whichever it was. In other instance</p> <p>22 between those two crossings in November 2014, can you</p>
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<p>1 about eight hours at that experience. So I missed</p> <p>2 sleeping and wake up the next morning for work. So I</p> <p>3 had to explain to my co-workers and manager what</p> <p>4 happened, of the experience that I had.</p> <p>5 Q Where were you working at the time?</p> <p>6 A I was in 13 Hoover gas station.</p> <p>7 Q The gas station?</p> <p>8 A Yes.</p> <p>9 Q The same one you mentioned earlier?</p> <p>10 A Yes.</p> <p>11 Q How many people would you estimate that you</p> <p>12 spoke to about that experience at the time?</p> <p>13 A More than ten people.</p> <p>14 Q More than ten?</p> <p>15 A Yes.</p> <p>16 Q Okay. Did you write about it anywhere?</p> <p>17 A No.</p> <p>18 Q What is the name of your friend you were</p> <p>19 talking about earlier, who was allegedly told that</p> <p>20 -- by Border Patrol that they didn't want him to come</p> <p>21 to the United States?</p> <p>22 A Ousama Almirani.</p>	<p>1 tell me about your experience of crossing back into</p> <p>2 the United States?</p> <p>3 MS. MASRI: Objection, vague. Objection as</p> <p>4 to form, compound, confusing. I don't even understand</p> <p>5 the question.</p> <p>6 BY MS. KONKOLY:</p> <p>7 Q Do you understand the question?</p> <p>8 A I do not understand the question. I</p> <p>9 understand that you're asking me based on my head</p> <p>10 right now, even though I'm asking you if I can read,</p> <p>11 because I remember writing to know which is which.</p> <p>12 But you want it based on my head, so that's what I</p> <p>13 told you. I don't know which is which.</p> <p>14 Q Let's call it November 2014 Trip A and</p> <p>15 December 2014 Trip B.</p> <p>16 A Okay.</p> <p>17 Q Okay, and you just told me about an</p> <p>18 experience you had, but you don't recall whether it</p> <p>19 was Trip A or Trip B. It was one or the other;</p> <p>20 correct?</p> <p>21 A Correct.</p> <p>22 Q Okay. So I'm just asking you about if you</p>

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<p style="text-align: right;">Page 174</p> <p>1 just told me about Trip A, then I'm asking about Trip 2 B, and if you just told me about Trip B, then I'm 3 asking about Trip A. Do you understand? 4 MS. MASRI: I'm going to -- 5 MS. KONKOLY: I don't know how to ask this 6 otherwise, because I don't know which trip you just 7 told me about. 8 MS. MASRI: I understand, but it's going to 9 be confusing unless you allow him to take a look at 10 the notes. That way, we can all look at the same 11 trip. 12 MS. KONKOLY: I'm not asking him to read from 13 his interrogatory responses today. I would like to 14 know what he remembers. 15 MS. MASRI: Then your question is not going 16 to make sense, to be honest with you. It's vague. It 17 is vague. 18 MS. KONKOLY: I'm doing the best I can, when 19 I don't know which date was the one he just told me 20 about. 21 MS. MASRI: Well, he talked about a lot of 22 different things, and he was hopping back and forth</p>	<p style="text-align: right;">Page 176</p> <p>1 handcuffed both in November 2014 and in December 2014? 2 A Yes. 3 Q Okay. Let's assume that the incident you 4 just told me about was the November 2014 crossing. 5 I'd like you to tell me about the other one, the 6 December 2014 crossing back into the United States, 7 and what you recall about that today. 8 MS. MASRI: Objection as to form. 9 THE WITNESS: The other one is very similar 10 to the one before. I just the -- let's name them A 11 and B, and the one I mentioned earlier, let's say it's 12 A, and the second one is B. B was very similar to A, 13 and the only difference was is I -- I wait, what 14 happened. It was less officers. The first one was 15 more, about more than four officers. B was three, 16 around three because I did not know how many people 17 behind me walking. 18 But I was both handcuffed, both walked to a 19 cell, taking a different door than the normal one that 20 I used to take. It was like a back door to the cell, 21 and being searched the same way with my body, and 22 taking my everything I had and my phone, and that's</p>
<p style="text-align: right;">Page 175</p> <p>1 between the two trips. That's why I was objecting to 2 form earlier, is your follow-up question is not clear 3 which of the two. He's talking about both at the same 4 time. So your question is not going to make sense, 5 unless we're looking at something that we can all 6 agree on. 7 THE WITNESS: This happened four years ago, 8 within a month for both trips. So I do not recall 9 which one is which, unless I look at my notes, because 10 that's -- you're asking me a vague question basically. 11 BY MS. KONKOLY: 12 Q You told me about an instance in which you 13 were handcuffed when you were crossing back over from 14 the United -- from Canada to the United States. 15 That's the incident that we just discussed; is that 16 correct? 17 A Yes. 18 Q Okay. Were you telling me about one incident 19 or were you crossing over and telling me about 20 multiple incidents all at the same time? 21 A I got handcuffed twice. 22 Q You were handcuffed twice. Were you</p>	<p style="text-align: right;">Page 177</p> <p>1 it. 2 BY MS. KONKOLY: 3 Q Was your phone and your belongings returned 4 to you before you passed back over to the United 5 States? 6 A Yes. 7 Q Okay, and approximately how long were you 8 held at the border on this Incident B trip back into 9 the United States? 10 A One of them was eight hours and either B or 11 C, I mean A or B, and the other one was about seven 12 hours. 13 Q Okay, and how did you know it was about seven 14 hours? 15 A Because it was from the time I get to the 16 border and get to my house. I leave at midnight and I 17 get home in the morning. 18 Q Okay. Was anyone traveling with you on the 19 second incident, on the second time that you crossed 20 over into the United States in November and December 21 of 2014? 22 A No.</p>

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<p>1 Q Okay. Was there anyone else who you knew who</p> <p>2 was present at the border while you were detained in</p> <p>3 this second incident between November and December</p> <p>4 2014?</p> <p>5 MS. MASRI: Objection, calls for speculation.</p> <p>6 THE WITNESS: Not that I know of.</p> <p>7 BY MS. KONKOLY:</p> <p>8 Q Did you write about this incident or post</p> <p>9 about it on any of your social media accounts?</p> <p>10 A No.</p> <p>11 Q Did you talk to anyone about it aside from</p> <p>12 your attorney?</p> <p>13 A I talked to my family and friends.</p> <p>14 Q How many people?</p> <p>15 A More than ten.</p> <p>16 Q Okay. Did you write about it anywhere else?</p> <p>17 A No.</p> <p>18 Q Do you believe that these experiences we've</p> <p>19 talked about in the fall and winter of 2014 crossing</p> <p>20 the bridge back and forth from Canada to the United</p> <p>21 States are the result of your placement on the watch</p> <p>22 list?</p>	<p>1 Q The Windsor Tunnel?</p> <p>2 A Yes.</p> <p>3 Q And what was the purpose of this trip?</p> <p>4 A Visiting friends.</p> <p>5 Q The same friends?</p> <p>6 A Yes.</p> <p>7 Q Were you traveling alone or by yourself?</p> <p>8 A By myself.</p> <p>9 Q Okay. What happened on your crossing from</p> <p>10 the United States into Canada?</p> <p>11 A What happened?</p> <p>12 Q Did anything happen?</p> <p>13 A From the United States to Canada, I was</p> <p>14 stopped at the Canadian border, and the same thing.</p> <p>15 Got pulled the side, searched and I stayed about three</p> <p>16 hours, questions about where I'm going, where I will</p> <p>17 be staying, basically the same questions I had in the</p> <p>18 trip before.</p> <p>19 And also, it was more details about</p> <p>20 questioning getting what they had through the phone.</p> <p>21 What I mean by detailed, they used to come approach me</p> <p>22 at the counter, ask me one question and keep the phone</p>
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<p>1 MS. MASRI: Objection, calls for a legal</p> <p>2 conclusion, calls for speculation. Objection as to</p> <p>3 form. Answer if you can.</p> <p>4 THE WITNESS: It was definitely because I was</p> <p>5 being chose out of everyone crossing the border, and</p> <p>6 every time I get worse treatment and scarier than the</p> <p>7 one before. Just makes me feel that I had something</p> <p>8 different than everyone else crossing the border. So</p> <p>9 yes.</p> <p>10 BY MS. KONKOLY:</p> <p>11 Q Did anyone, did any government official ever</p> <p>12 tell you that you were on a watch list?</p> <p>13 A Personally, no.</p> <p>14 Q If you could turn to paragraph 18? It says,</p> <p>15 "On April 11th, 2015, you exited the United States and</p> <p>16 went into Canada." Is that accurate?</p> <p>17 A Yes.</p> <p>18 Q Okay. Where specifically did you make that</p> <p>19 crossing?</p> <p>20 A The April 11th, right?</p> <p>21 Q April 11th, 2015.</p> <p>22 A Tunnel from Detroit to Windsor.</p>	<p>1 to the side so they can go back, give the answer, then</p> <p>2 come back and ask me another question.</p> <p>3 Q And you're talking about Canadian officials?</p> <p>4 I just want to make it clear?</p> <p>5 A Yes, yes.</p> <p>6 Q When you say "they"?</p> <p>7 A Yes.</p> <p>8 Q Canadian?</p> <p>9 A Canadian. This is at the Canadian border,</p> <p>10 and it was very detailed, where I'm going to be, when</p> <p>11 I'm going to come back exactly. And especially at</p> <p>12 this time, they asked me -- they asked me tell us</p> <p>13 exactly what time are you going to be there, and I</p> <p>14 told them around 12:00. They said okay, if you do not</p> <p>15 be at the border at 12:00 exactly, this is the number.</p> <p>16 Call us and let us know if you're coming earlier or</p> <p>17 before, just to know exactly when are you crossing the</p> <p>18 border. That's it, yeah.</p> <p>19 Q Okay. How long did that conversation last?</p> <p>20 A At the Canadian border?</p> <p>21 Q At the Canadian border on your way into</p> <p>22 Canada?</p>

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<p>1 A Three, two, around three hours.</p> <p>2 Q And how long did you stay in Canada on this</p> <p>3 trip?</p> <p>4 A Same day I came back.</p> <p>5 Q Okay. What was -- I can't remember if I've</p> <p>6 asked this question for this particular trip. What</p> <p>7 the purpose of this trip?</p> <p>8 A Visit friends.</p> <p>9 Q Just for one day?</p> <p>10 A Yeah.</p> <p>11 Q The same friends?</p> <p>12 A Yes.</p> <p>13 Q You didn't stay overnight?</p> <p>14 A Actually we, there was like lunch because my</p> <p>15 friend there got engaged, so I just went there for</p> <p>16 lunch and came back.</p> <p>17 Q Okay, and what time did you intend to come</p> <p>18 back?</p> <p>19 A I told them I'm coming back at between 11:30</p> <p>20 and 12:00, and I got there between 11:30 and 12:00.</p> <p>21 Q P.M.?</p> <p>22 A Yes.</p>	<p>1 A Took the bridge.</p> <p>2 Q Which bridge?</p> <p>3 A The Detroit-Windsor Bridge.</p> <p>4 Q Okay, and what happened when you arrived at</p> <p>5 the Detroit-Windsor Bridge?</p> <p>6 A Okay. At that time, I was -- I had just</p> <p>7 gotten a car, a new car. I had -- the person at the</p> <p>8 booth, I was actually -- when I got to the booth at</p> <p>9 the bridge, I gave him my ID and the letter that I had</p> <p>10 from Homeland Security that I received after</p> <p>11 submitting that first, the travel inquiry.</p> <p>12 I received a letter for a number that I had</p> <p>13 to present when I cross the border, and when they did</p> <p>14 that, he swiped my ID and had the same reaction, and</p> <p>15 because they're not used to me crossing the bridge,</p> <p>16 there was different people and a different scenario.</p> <p>17 Basically, I was asked to put my hands on the wheel</p> <p>18 until three agents or four came to the back of the</p> <p>19 car.</p> <p>20 They asked me to get out, leave everything in</p> <p>21 the car, the keys. I was also asked by the agent at</p> <p>22 the booth how did -- he asked me where I work, and I</p>
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<p>1 Q Did you write or post about your experience</p> <p>2 crossing into Canada in April 2015 on any of your</p> <p>3 social media accounts?</p> <p>4 A No.</p> <p>5 Q Did you talk to anyone about that crossing,</p> <p>6 aside from your attorney?</p> <p>7 A I talked to friends, family, every students</p> <p>8 in my school and everyone that knew about this</p> <p>9 incident I was questioned by.</p> <p>10 Q So how many people would you estimate that</p> <p>11 you talked to about this crossing into Canada in April</p> <p>12 2015?</p> <p>13 A Into Canada?</p> <p>14 Q Yeah, into Canada.</p> <p>15 A Oh. More than ten people.</p> <p>16 Q Okay. Did you write about this experience</p> <p>17 anywhere?</p> <p>18 A No.</p> <p>19 Q So you came back the same day?</p> <p>20 A Yes.</p> <p>21 Q Okay. Did you take the Windsor Tunnel or a</p> <p>22 different crossing?</p>	<p>1 told him I work at a gas station, and he told me how</p> <p>2 can you work at a gas station and afford this car? Is</p> <p>3 that really yours or not?</p> <p>4 I told him it's mine, and it was registered</p> <p>5 under my uncle's name. So he was just making fun of</p> <p>6 that, and then when I got out of the car, I was</p> <p>7 basically handcuffed in the back of my car, walked</p> <p>8 into the building at the bridge. They took me to a</p> <p>9 cell that was very bright light and very cold, and for</p> <p>10 -- they took my shoes, they took my watch, my phone,</p> <p>11 everything I had, even my belt.</p> <p>12 They even the seat in that room was a metal</p> <p>13 seat and it was freezing. So I tried to stand up or</p> <p>14 stay away from it because it was cold either way I sit</p> <p>15 or stand. So I was asked questions every -- at the</p> <p>16 beginning, I was asked a lot of questions for about an</p> <p>17 hour, and then they left me alone. They sent another</p> <p>18 agent, basically asked me the same questions just in a</p> <p>19 different form, and I couldn't say I already answered</p> <p>20 the questions because it was a different person.</p> <p>21 Until the fourth time I was approached by</p> <p>22 another agent, and I told them, you know, there's</p>

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<p>1 three other agents that came and asked me the same 2 exact questions over and over, just different 3 questions. He told me this is a different shift. If 4 you want to get out, you have to answer my questions, 5 and I just have to repeat myself even though I was 6 freezing.</p> <p>7 I stayed there for approximately more than 8 ten hours. Every hour, hour and a half I get agent 9 coming to the cell, ask me questions, more everything 10 about my family, everyone I knew, even like my 11 cousins, my cousins' names, my uncles, everyone I 12 knew, and everything I'd done in my past.</p> <p>13 Also, they asked me to -- one of the last 14 ones I was feeling so cold and my head started hurting 15 because of the bright light, I asked the officer if I 16 can get my shoes or a blanket because it's getting so 17 cold, and he told me that we're almost there to let 18 you out. I waited another hour, and then started 19 knocking on the door for --</p> <p>20 I know when they walked me, it was at the end 21 of the hall. So I started knocking on the door. They 22 hear me, no one answered and I also waited for like</p>	<p>1 he took me -- he realized that it's dangerous. So he 2 told me to get up and asked for -- he called on the 3 radio.</p> <p>4 Another two officers came and took me to the 5 waiting room, and I was still shaking by then, and 6 they told me you okay? What's going on? I was like I 7 can't hold it. It's freezing in there. I've been 8 asking you guys to give me my shoes, something that 9 can keep me warm.</p> <p>10 They said okay, we'll let you out in a few 11 minutes. Just hold on. I told them I can't, I cannot 12 leave in this situation. My whole body is shaking. I 13 don't think I'm going to be able to drive. I really 14 need to go to the hospital. So they called an 15 ambulance. When the ambulance arrived, they took me 16 to the -- by the way I was -- in the waiting room I 17 was handcuffed.</p> <p>18 When I walked to the ambulance they -- I was 19 -- no, I'm sorry. I did not walk to the ambulance. 20 The ambulance brought the bed. They put me in the bed 21 and then took me to the ambulance outside, and then 22 the officer handcuffed me to the bed in the ambulance.</p>
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<p>1 10, 15 minutes and I heard someone came by, and I 2 started asking for help. Hey, can someone hear me. 3 But I heard the officers talked by the cell, listen to 4 what I was saying and then kept on walking.</p> <p>5 All I remember after that is I started 6 getting so drowsy and the headache started getting 7 more and I started shaking, and I started asking for I 8 need to go to the hospital, I need an ambulance. Then 9 an officer came and told me what's going on, why you 10 need the ambulance?</p> <p>11 I told him I'm freezing. I'm freezing to 12 death. Please let me out or let me out, at least in 13 the waiting room. I cannot wait here longer, and he 14 told me okay, we're almost there. Just hang up, just 15 hang on. We'll let you out shortly. I waited, you 16 know, another like 30 minutes. I couldn't hold it. 17 All I remember after that is I was laying on the 18 floor, and the officer was waking me up, asking me if 19 I'm okay and I was shaking when he woke me up.</p> <p>20 That was my first time falling unnoxious 21 (sic) ever in my life. Never felt like I was freezing 22 to death. I never felt like I was going to die, and</p>	<p>1 The nurse that was at the ambulance asked the officer 2 why are you still handcuffed him, he's barely moving, 3 and he told her to shut up and that's not her 4 business.</p> <p>5 And I remember like she was back and forth, 6 like why are you still doing this to him? He's barely 7 moving. I was just trying to grab the blanket and 8 stay warm at that time. When I was listening to them, 9 I felt like it's an echo, it's not real what's 10 happening because I was so -- I never felt that way. I 11 felt like I was going to die, and what happened is 12 something I never experienced in my life.</p> <p>13 I was just thinking of if I die, these people 14 that, referring to the Border agents that kept me in 15 the cell for more than ten hours, nobody knows about 16 me, I can die and they can -- they can do whatever 17 with my body, and nobody would know what happened to 18 me. So I was just trying to stay strong and trying to 19 stay awake so I know everything that's happening 20 around me.</p> <p>21 I remember going to the hospital and they put 22 me on a chair because I couldn't walk, cuffed me into</p>

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<p>1 the chair. We were -- the officer took me inside and 2 then I was -- I was taken to a room inside the 3 hospital. They put me in a bed and I asked -- I 4 remember asking the nurse for extra blankets, because 5 I cannot stop shaking from how cold I was. 6 She gave me blankets and then a doctor came 7 and asked me what happened, and I remember the officer 8 told him not to ask me these kind of questions, and 9 the doctor asked him to step outside and he talked to 10 him, that he have to do this in order to process me or 11 in order to help me. 12 I heard them getting into an argument, and 13 then the doctor told the Border Patrol agent or 14 officer to stay out the room if he wants me to get 15 medical treatment. At the end, the doctor came and I 16 told him everything happened to me. 17 I was actually, I was so happy that I was 18 left alone with the doctor, I started telling him 19 everything, thinking I was going to die, and if I die, 20 there's someone I can trust that would send the story 21 or give it to my family so they know what happened to 22 me.</p>	<p>1 which is metal seats and they handcuffed me to the 2 floor of that bus. It was -- there was a handcuff 3 area they can handcuff me to the floor, until we got 4 to the bridge. 5 They gave me everything back the minute I 6 exited the bus, and they gave me everything, and they 7 gave me my car keys. They told me you're ready to go. 8 I wasn't feeling good, but I drove home and it was 9 about noon at that time when I arrived home, and I was 10 also -- I was -- yeah, after I got home, I remember my 11 brother was home and he was asking me what happened. 12 I just couldn't talk. I told him can we talk 13 about this a different time. After that experience, I 14 remember staying home, not going to school, not going 15 to work for about four days, just scared leaving the 16 house. I got scared of my situation. I stayed in 17 bed. My body couldn't actually function. Every time 18 I wake up, I feel like I'm hearing sounds in my head. 19 I'm hearing the questions that guy repeated 20 to me in the cell, and so I kept -- I stayed home for 21 about four days sleeping most of the time, and just 22 scared of travel again. After that was basically my</p>
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<p>1 So I started telling him everything. I 2 started telling him what kind of treatment I had in 3 the past on the border, and I remember like explaining 4 everything for about an hour or so. That's when I 5 felt real comfortable and came down. He gave me I 6 believe it was -- we did the blood tests and urine 7 test and also, he gave me a pill or a shot, I do not 8 remember. 9 All I remember just it put me to sleep. I 10 slept and my body just calmed down. I felt so 11 comfortable after I was speaking to the doctor, and 12 told him what happened and because honestly, I felt 13 like at that point I was -- I was dying and I just 14 wanted my mom to know what happened to me. 15 So after I woke up, the doctor came to 16 release me and he woke me up and told me you're ready 17 to go, how do you feel? I told him I feel better, but 18 I don't know why my head's going -- is still hurting 19 me. He said you'll feel better, just as long as you 20 can get up and walk. 21 He released me. We got back in the Border 22 Patrol bus, and they put me in the back of the bus,</p>	<p>1 last time crossing the border until August or June 2 2017. 3 Q June of 2017? 4 A Yes, when I went to -- drove to JFK, then -- 5 Q Saudi Arabia and Yemen? 6 A Yes. 7 Q Okay. Have you crossed the border by land 8 since this April 2015 incident? 9 MS. MASRI: I'm sorry. I don't want to 10 interrupt. I just want a quick clarification, that 11 last one. You said fall noxious. What was -- 12 MS. KONKOLY: Wait, I'm going to -- Lena, 13 this is my deposition. I don't think this is proper 14 for you to be correcting your witness' testimony in 15 this matter. 16 MS. MASRI: Well I mean -- 17 MS. KONKOLY: If you have a question you'd 18 like to ask on redirect -- 19 MS. MASRI: I'll redirect. 20 MS. KONKOLY: --I'm going to ask you to save 21 it for then. 22 MS. MASRI: That's fine. I'll redirect.</p>

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<p>1 BY MS. KONKOLY:</p> <p>2 Q Have you crossed the United States border</p> <p>3 into Canada or Mexico since this incident in April</p> <p>4 2015?</p> <p>5 A No.</p> <p>6 Q Okay, and I believe you said you were</p> <p>7 traveling alone on April 11th, 2015; is that correct?</p> <p>8 A Yes.</p> <p>9 Q Okay. Was anyone else there who you knew,</p> <p>10 who witnessed this incident crossing back into the</p> <p>11 United States?</p> <p>12 A No.</p> <p>13 Q Did you write or post about this on any of</p> <p>14 your social media accounts?</p> <p>15 A No.</p> <p>16 Q Did you talk to anyone, aside from your</p> <p>17 attorney, about this incident?</p> <p>18 A I talked to everyone I knew that knew about</p> <p>19 what happened to me, and that's probably more than 30</p> <p>20 people.</p> <p>21 Q More than 30?</p> <p>22 A Yes.</p>	<p>1 because I did not answer phone. I did not leave my</p> <p>2 bed, just to the bathroom and back. I was so --</p> <p>3 sometimes I used to wake up in the middle of my sleep</p> <p>4 shaking, feel my body still cold inside, even though I</p> <p>5 was covered with blankets at home.</p> <p>6 I basically felt like that four days was the</p> <p>7 worse four days of my life, because I used to hear</p> <p>8 sounds like in my head. The only person I talked to</p> <p>9 at that four days was my brother that used to live</p> <p>10 with me.</p> <p>11 Q Are there any consequences from this April</p> <p>12 11th, 2015 incident that we haven't already discussed?</p> <p>13 MS. MASRI: Objection, calls for a legal</p> <p>14 conclusion, calls for speculation. Objection as to</p> <p>15 form.</p> <p>16 THE WITNESS: Consequence was actually after</p> <p>17 that, and actually before that, but this made it very</p> <p>18 clear, that my friends and family used to make fun of</p> <p>19 me about what happened, and not just fun. Even</p> <p>20 friends that I used to hang out with, they used to</p> <p>21 tell me all the time oh, I don't know if we should go</p> <p>22 out together. How about we just meet up over there,</p>
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<p>1 Q Okay. Did you write about it anywhere?</p> <p>2 A No.</p> <p>3 Q Do you believe that this happened to you</p> <p>4 because you were on a watch list?</p> <p>5 A I do, and I -- yes, I do.</p> <p>6 Q Did anyone tell you at the time? Did any CBP</p> <p>7 officials tell you that you were on a watch list?</p> <p>8 A No.</p> <p>9 Q What is your basis for believing that this</p> <p>10 happened because you were on a watch list?</p> <p>11 A Because of the treatment I had on the kind of</p> <p>12 questions I was being asked, and every time I was</p> <p>13 asked, especially that April 11th crossing, when I was</p> <p>14 asked about terrorist groups and what I have been</p> <p>15 doing in -- who do I contact in Yemen and if I have --</p> <p>16 they started asking me about people that I knew from</p> <p>17 TV happened to be terrorist people like bin Laden and</p> <p>18 others.</p> <p>19 Q You mentioned that you missed class and work</p> <p>20 for three or four days. Is that -- did I understand</p> <p>21 that correctly?</p> <p>22 A I missed my life in that three and four days</p>	<p>1 because we cannot trust you after what happened to</p> <p>2 you.</p> <p>3 We don't know if it's true or not. If the</p> <p>4 government is taking it serious, why wouldn't we take</p> <p>5 it serious? So it affected me and also made me stay</p> <p>6 away from my friends. I stayed away from my cousins</p> <p>7 that used to bring this up all the time, because it</p> <p>8 used to affect me emotionally.</p> <p>9 Also, that also one of the things that made</p> <p>10 me stop crossing the border and I -- made me also</p> <p>11 doubt myself, am I a bad person that needs to be given</p> <p>12 or treated this way, even though I'm going to school,</p> <p>13 work, paying for rent and trying to stay -- live like</p> <p>14 a normal person.</p> <p>15 But every time I used to, you know, hear this</p> <p>16 from my friends or family or anyone that knew about</p> <p>17 it, I used to feel like I'm -- I need to take a step</p> <p>18 back and realize who I am and if I'm really a bad</p> <p>19 person like the people at the Tunnel and Bridge think</p> <p>20 I am.</p> <p>21 But there is nothing I have done in my life</p> <p>22 that makes me being suspicious or anything. It</p>

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<p style="text-align: right;">Page 198</p> <p>1 affected me every day. Until this day I think about</p> <p>2 it and watch every step I do, every move I do. It's</p> <p>3 really sad that incident, and I remember April 11th</p> <p>4 like it's yesterday.</p> <p>5 MS. KONKOLY: If I could have you turn to</p> <p>6 Exhibit J in your binder? Go ahead and mark it. You</p> <p>7 produced these documents to us in discovery. They</p> <p>8 appear to be medical records related to your treatment</p> <p>9 on April 11th, 2015. I'll just have you go through</p> <p>10 those documents and confirm that understanding.</p> <p>11 (Witness reviewing documents.)</p> <p>12 THE WITNESS: Yes.</p> <p>13 MS. KONKOLY: Go ahead and mark it, and if</p> <p>14 you could flip to Exhibit K. Have you seen this</p> <p>15 document before?</p> <p>16 (Whereupon, the document</p> <p>17 referred to was marked for</p> <p>18 identification as Exhibit K.)</p> <p>19 (Witness reviewing document.)</p> <p>20 THE WITNESS: I do not remember.</p> <p>21 BY MS. KONKOLY:</p> <p>22 Q You don't know what this document is?</p>	<p style="text-align: right;">Page 200</p> <p>1 Q Did it expire?</p> <p>2 A I don't know. Of course, it expired. It was</p> <p>3 a long time ago.</p> <p>4 Q Okay, and you said you traveled on it once?</p> <p>5 A Yes.</p> <p>6 Q From Yemen to Saudi Arabia?</p> <p>7 A Correct.</p> <p>8 Q And how old were you at the time?</p> <p>9 A I'm not sure. I know I used it once and then</p> <p>10 I lost it.</p> <p>11 Q Were you in high school?</p> <p>12 A It was after high school.</p> <p>13 Q Were you in college?</p> <p>14 A No.</p> <p>15 Q In between?</p> <p>16 A It was -- it was after 2011, probably between</p> <p>17 2011 and 2012. I do not recall exactly.</p> <p>18 Q Okay. So if you could turn to page eight of</p> <p>19 your passport?</p> <p>20 A Page eight.</p> <p>21 MS. MASRI: We're talking about Bates 10,</p> <p>22 right?</p>
<p style="text-align: right;">Page 199</p> <p>1 A I do not remember.</p> <p>2 MS. KONKOLY: Okay. You can go ahead and</p> <p>3 mark it anyway, since we've talked about it. If we</p> <p>4 could flip to Exhibit H, mark that one. Is this a</p> <p>5 copy of your passport?</p> <p>6 (Whereupon, the document</p> <p>7 referred to was marked for</p> <p>8 identification as Exhibit H.)</p> <p>9 THE WITNESS: Yes.</p> <p>10 BY MS. KONKOLY:</p> <p>11 Q Have you ever had any other passports?</p> <p>12 A No.</p> <p>13 Q Have you ever traveled on a passport from</p> <p>14 another country?</p> <p>15 A I'm sorry. I take that back. I remember one</p> <p>16 time I lost my passport in Yemen, when I was in Yemen,</p> <p>17 and I went to Saudi Arabia and then I -- I got a</p> <p>18 Yemeni passport so I can travel to Saudi Arabia, but</p> <p>19 that was the only time I used it.</p> <p>20 Q Okay. Do you still have that Yemeni</p> <p>21 passport?</p> <p>22 A No.</p>	<p style="text-align: right;">Page 201</p> <p>1 BY MS. KONKOLY:</p> <p>2 Q It's Bates 10, page eight on the passport.</p> <p>3 A All right.</p> <p>4 Q It looks like there's an entry stamp for</p> <p>5 Yemen, and it says "08/06/2013."</p> <p>6 A Okay.</p> <p>7 Q I'm unclear whether that's June 8th, 2013 or</p> <p>8 August 6th, 2013. Do you know?</p> <p>9 MS. MASRI: I'm going to just object, that</p> <p>10 the document speaks for itself.</p> <p>11 BY MS. KONKOLY:</p> <p>12 Q I'm asking whether you know which way that I</p> <p>13 should read that date?</p> <p>14 A I'm not sure, but it could be August 6th, but</p> <p>15 I'm still not sure.</p> <p>16 Q Okay. The wallet looks like there's an exit</p> <p>17 stamp, and it could either be October 5th or May 10th,</p> <p>18 2012.</p> <p>19 MS. MASRI: Again objection, the document</p> <p>20 speaks for itself.</p> <p>21 BY MS. KONKOLY:</p> <p>22 Q Do you know which way to read that?</p>

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<p style="text-align: right;">Page 202</p> <p>1 A No.</p> <p>2 Q Are the stamps on page nine from the 2017</p> <p>3 trip that we talked about when you went to Yemen to</p> <p>4 get married?</p> <p>5 A Wait, 2017. Yes. That was the exit from</p> <p>6 Yemen.</p> <p>7 Q Okay. If you could flip --</p> <p>8 MS. MASRI: I'm sorry. Which one -- which</p> <p>9 one are you referring to?</p> <p>10 MS. KONKOLY: They're both from 2017.</p> <p>11 MS. MASRI: He said one is an exit. I just</p> <p>12 want to clarify for the record what he's pointing at.</p> <p>13 THE WITNESS: One is my entrance and the</p> <p>14 other is my exit.</p> <p>15 BY MS. KONKOLY:</p> <p>16 Q Are they both related to the same trip where</p> <p>17 you went to get married?</p> <p>18 A Yes.</p> <p>19 Q Okay. Go ahead and flip to the next page.</p> <p>20 This Elhady Bates stamp 11, and there's some visas,</p> <p>21 and underneath it looks like it's page 10 and 11.</p> <p>22 A Yes.</p>	<p style="text-align: right;">Page 204</p> <p>1 Q I'm asking you what you recall about this</p> <p>2 visa?</p> <p>3 A It's Ethiopian language. I do not understand</p> <p>4 what it says on top. I don't know if that's an entry</p> <p>5 or the exit.</p> <p>6 Q Well, it says "Date of issue," and then it</p> <p>7 says "23 December 11." Do you see where I'm looking?</p> <p>8 MS. MASRI: The document speaks for itself.</p> <p>9 THE WITNESS: I don't see where it says,</p> <p>10 "date of issue."</p> <p>11 BY MS. KONKOLY:</p> <p>12 Q If you turn it sideways so that it's face up</p> <p>13 to you.</p> <p>14 A Are you speaking -- are you talking about</p> <p>15 page ten?</p> <p>16 Q Page ten.</p> <p>17 A Okay.</p> <p>18 Q And in the handwriting portion of that stamp,</p> <p>19 in the very top left corner, do you see where it says</p> <p>20 "23 Dec 11"?</p> <p>21 A Yes.</p> <p>22 Q Do you recall the trip that this visa</p>
<p style="text-align: right;">Page 203</p> <p>1 Q Do you see page 10 underneath the visa?</p> <p>2 A Yes.</p> <p>3 Q What is that visa from?</p> <p>4 A Ethiopia.</p> <p>5 Q Is that from when you were traveling with</p> <p>6 your dad?</p> <p>7 A Yes.</p> <p>8 Q And on page 11, what is this visa?</p> <p>9 A Ethiopia.</p> <p>10 Q Is that from that same period?</p> <p>11 A Was definitely a different trip, different</p> <p>12 visa.</p> <p>13 Q Okay. The one on page ten looks like it was</p> <p>14 issued on December 23rd, 2011. Is that accurate?</p> <p>15 MS. MASRI: Objection, the document speaks</p> <p>16 for itself.</p> <p>17 THE WITNESS: I'm not sure when that visa</p> <p>18 happened.</p> <p>19 BY MS. KONKOLY:</p> <p>20 Q Do you see in the top left corner? It says,</p> <p>21 "Date of issue 23 December 11."</p> <p>22 A Is that the date of the visa?</p>	<p style="text-align: right;">Page 205</p> <p>1 corresponded to?</p> <p>2 A It was December 23rd, 2011.</p> <p>3 Q Okay. I don't think we talked about a trip</p> <p>4 in December 2011 earlier. Did I forget something?</p> <p>5 A The questions were about the entry and</p> <p>6 exiting into the United States, not anything else.</p> <p>7 Q Okay. What do you recall about this trip to</p> <p>8 Ethiopia in December 2011?</p> <p>9 A For work with my dad.</p> <p>10 Q Okay. Did you have any troubles crossing</p> <p>11 into Ethiopia?</p> <p>12 A No.</p> <p>13 Q Okay, and for the May -- this other one, it</p> <p>14 says "Date of issue 10 May 12." Do you see where it</p> <p>15 says that?</p> <p>16 A Yes.</p> <p>17 Q Okay. What do you recall about the trip that</p> <p>18 corresponded with this visa?</p> <p>19 A Date of issue May 10th, 2012, yes.</p> <p>20 Q Yeah, but what do you recall about this trip</p> <p>21 that went along with this visa?</p> <p>22 A It was the same reason, work with my dad.</p>

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<p style="text-align: right;">Page 206</p> <p>1 Q Okay. Did you have any trouble entering 2 Ethiopia on that occasion? 3 A No. 4 Q Okay. Turn to the next page. 5 MS. MASRI: We're looking at Bates 12. 6 BY MS. KONKOLY: 7 Q I'm looking at Bates 12, pages 12 and 13. So 8 I see a stamp that looks like it's from the United 9 Arab Emirates, UAE at the top of page 12. Do you see 10 that one? 11 A UAE, yes. 12 Q Okay, and that appears to be from August 13 2013? 14 A Yes. 15 Q There's a stamp that appears to be in Arabic. 16 Can you read that one? 17 A Which one are you referring to? 18 Q The rectangle one. 19 A The one that's half showing on page 12? 20 Q Yes, yep. 21 A That is yes, I can read it. It says, "This 22 is -- this is valid for 30 days from the date of</p>	<p style="text-align: right;">Page 208</p> <p>1 stamp. 2 Q Okay. From 2013? 3 A That does not show the date. That's not 4 clear, but all I can read it "exit" and Dubai Airport. 5 Q Was there another time other than the 2013 6 trip that we talked about that you flew through Dubai? 7 A I do not recall. 8 Q The stamps on page 13 all appear to be dated 9 2017 to me. Is that your understanding as well? 10 A Yes. 11 Q Are those all related to your trip for your 12 wedding and your brother's wedding? 13 A Yes. 14 Q How about the one in the bottom right-hand 15 corner that's faded? Can you read that? 16 A I believe that's Rome. It's an Italy stamp, 17 but do not remember if it's an exit or entrance. I 18 just remember they stamped it, the same as that page. 19 Q Okay. Turn the page. Elhady Bates stamp 13, 20 page 14 of the passport. It looks like you've got a 21 visa from Egypt on page 14? 22 A Yes.</p>
<p style="text-align: right;">Page 207</p> <p>1 entry." 2 Q Okay. Do you know what country that's from? 3 A I do not recall. 4 Q It doesn't say? 5 A It doesn't say. That's all I said, what I 6 just mentioned. 7 Q Okay. We've got another stamp on here. It 8 appears to be an exit stamp from Yemen. 9 A Which one are you referring to? 10 Q At the bottom, just above the 12. 11 A Yes. 12 Q That appears to be from August 26, 2013? 13 A Yes. 14 Q Okay, and then there's two more that are kind 15 of faded. Do you know what those are from? 16 A On page 12? 17 Q On page 12, the other two that we haven't 18 talked about yet. 19 A There is one that's to the left side, if 20 you're referring to that. It says, "The exit." 21 Q Yeah. 22 A It's the same one for UAE. It's just exit</p>	<p style="text-align: right;">Page 209</p> <p>1 Q I don't see a date on this one. Is that what 2 is in Arabic on the right? 3 A It says 21st of August 2017. 4 Q 2017. 5 A It says the 21st or 22nd. I'm not sure. 6 It's not clear. All it shows the twenty-something 7 August 2017. 8 Q Okay. Was this on your way home from Rome 9 after your wedding? 10 A This is the stop between Yemen and Rome, when 11 I stopped in Egypt. 12 Q Okay. Can you turn the page? There's a visa 13 on page 17 of the passport. We're on Elhady Bates 14 stamp 14. Do you see the visa stamp? 15 A The Lufthansa one? 16 Q Oh, I'm sorry. That's -- it might not be a 17 visa stamp, because that's from the passport itself. 18 A It was actually a visa by the way. 19 Q Okay. What is the stamp on page 17 in your 20 understanding? 21 A This is for Oman stamp visa. 22 Q Okay. What's the date?</p>

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<p style="text-align: right;">Page 210</p> <p>1 MS. MASRI: I'm going to object, that the</p> <p>2 document speaks for itself.</p> <p>3 THE WITNESS: It's not clear, but it shows --</p> <p>4 I'm not sure if that's the right way, but it shows,</p> <p>5 appears to me August -- no, that's not August. Oh,</p> <p>6 that's the when does it expire? It expires August</p> <p>7 11th, 2017. The stamp on this document was upside</p> <p>8 down, and was the opposite side of the stamp. So you</p> <p>9 cannot tell which is what.</p> <p>10 BY MS. KONKOLY:</p> <p>11 Q Okay. That's from Oman from 2017 though?</p> <p>12 A I'm sorry?</p> <p>13 Q Your understanding is that this stamp is from</p> <p>14 Oman in 2017?</p> <p>15 A Correct.</p> <p>16 Q Okay. You can flip to page Elhady-17. It's</p> <p>17 page 22 and 23 of your passport. You have another</p> <p>18 visa on page 22. This one's from Saudi Arabia.</p> <p>19 A Yes.</p> <p>20 Q Is this from the trip that you took for the</p> <p>21 two weddings as well?</p> <p>22 A That's the one I went for my brother's</p>	<p style="text-align: right;">Page 212</p> <p>1 Q How about the circular one on top? What does</p> <p>2 that one say?</p> <p>3 A This is also the -- okay. This is the</p> <p>4 entering Saudi Arabia, and the date is even -- I'm</p> <p>5 sorry.</p> <p>6 Q Is it 2017?</p> <p>7 A I'm sorry. They have a different date. None</p> <p>8 of them is 2017. I was reading that upside down. It</p> <p>9 was 17 but it's not the year. They go by a different</p> <p>10 year. So the circular one is the entrance and the</p> <p>11 exit one is the exit. That's all I can say about</p> <p>12 this, these two stamps.</p> <p>13 Q Do they correspond with your trip to Saudi</p> <p>14 Arabia for your brother's wedding?</p> <p>15 A Yes.</p> <p>16 Q Okay. Turn the page one more time. We're on</p> <p>17 Elhady Bates stamp 18, page 24 of the passport. Do</p> <p>18 you know what the stamp on page 24 is from?</p> <p>19 A Okay. This probably was Rome. I mentioned</p> <p>20 earlier in page 13 of my passport that the lower stamp</p> <p>21 was Rome, and it shows it's the same stamp. So one of</p> <p>22 them must be enter and the other is exit.</p>
<p style="text-align: right;">Page 211</p> <p>1 wedding, yes.</p> <p>2 Q Okay, and on page 23, these stamps both</p> <p>3 appear to be in Arabic. Can you read them?</p> <p>4 A The one to the right shows that this is --</p> <p>5 this airport is for King Khalid Airport.</p> <p>6 Q Is that in Saudi Arabia?</p> <p>7 A Yeah, yes.</p> <p>8 Q Okay. Does it have a date?</p> <p>9 A It has the 2017. It says the month, but I</p> <p>10 don't know how to -- I don't know what month is that</p> <p>11 in Arabic.</p> <p>12 Q Okay.</p> <p>13 A It's -- I don't know if you understand what</p> <p>14 this month is.</p> <p>15 MS. MASRI: No, but I'm going to just object,</p> <p>16 that he is not a professional translator. He's not a</p> <p>17 certified translator. He is answering to the best of</p> <p>18 his ability, but there's no way --</p> <p>19 MS. KONKOLY: That's fine. I'm only asking</p> <p>20 to the best of his ability.</p> <p>21 MS. MASRI: Okay.</p> <p>22 BY MS. KONKOLY:</p>	<p style="text-align: right;">Page 213</p> <p>1 MS. KONKOLY: Okay. I could use a quick</p> <p>2 bathroom break, just three minutes.</p> <p>3 MS. MASRI: Uh-huh.</p> <p>4 (Whereupon, a short recess was taken.)</p> <p>5 MS. KONKOLY: Back on the record.</p> <p>6 COURT REPORTER: Yeah.</p> <p>7 BY MS. KONKOLY:</p> <p>8 Q Okay. Mr. Elhady, do you understand that</p> <p>9 you're still under oath?</p> <p>10 A Yes.</p> <p>11 Q Okay. You can put the binder away for now.</p> <p>12 Are there any instances in which you have wanted to</p> <p>13 travel somewhere but decided not to because you</p> <p>14 believed you were on a watch list?</p> <p>15 A Yes, I do. After the incident that happened</p> <p>16 April 11th crossing the bridge, I wanted to go visit</p> <p>17 my family, my mom that was in Yemen. I never, I never</p> <p>18 was away from her for more than a year until that</p> <p>19 happened. I couldn't leave. I was so scared to cross</p> <p>20 the border for any reason. I was actually from last</p> <p>21 time I was in Yemen, before the April 11th, I was</p> <p>22 dating my wife. But it took me this long time until</p>

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<p style="text-align: right;">Page 214</p> <p>1 2017 just to go back and get married.</p> <p>2 It just -- it kept pushing me away, to the</p> <p>3 point that my wife told me after the wedding that she</p> <p>4 had doubts that if I still wanted her, if I still</p> <p>5 wanted her or want us to be together, because I take</p> <p>6 that long time to come back to Yemen. She knew about</p> <p>7 the incident, but nobody knew how bad it affected me</p> <p>8 and scared me just to cross a border or get even close</p> <p>9 to that border.</p> <p>10 It really affected me all way, like even my</p> <p>11 mom. I did not see her until she got a visa and came</p> <p>12 here, and my whole family like Yemen. I lived a long</p> <p>13 time in Yemen. I had a lot of friends and family, and</p> <p>14 there was a lot of opportunity that I could have</p> <p>15 traveled. My brothers came back. I was the only one</p> <p>16 that couldn't cross the border because of the incident</p> <p>17 that happened to me that scared me getting near the</p> <p>18 border.</p> <p>19 Q Did you have the financial ability to travel</p> <p>20 back to Yemen in this interim, between the incident on</p> <p>21 April 11th, 2015 and when you went back for your</p> <p>22 wedding?</p>	<p style="text-align: right;">Page 216</p> <p>1 Even when I went to my brother's wedding, I</p> <p>2 was -- my brother actually called me and told me</p> <p>3 please come to my wedding. My whole family's coming.</p> <p>4 You have to be there. Even though I was scared, but I</p> <p>5 pushed myself to go. Not because of anything. I had</p> <p>6 all the abilities to go except my fear that was inside</p> <p>7 me for crossing the border or coming back.</p> <p>8 Q Okay. I'm going to ask you to be specific</p> <p>9 about -- you said there's been several of these trips,</p> <p>10 but I'd like you to be specific about where they were</p> <p>11 and when they were?</p> <p>12 A You mean the trips that --</p> <p>13 Q With your brothers and your cousins that you</p> <p>14 were just talking about?</p> <p>15 A Okay. So my brother was, for example, he</p> <p>16 went to Turkey. I remember when he went. I do not</p> <p>17 recall what day was it. I remember it was 2017, and</p> <p>18 he found very cheap tickets to Turkey and vacation</p> <p>19 plan, whatever. He asked me to go with him, and I</p> <p>20 told him I cannot because this can be turned into the</p> <p>21 opposite of a vacation. I can be thrown in a cell.</p> <p>22 I'm not ready for something like this.</p>
<p style="text-align: right;">Page 215</p> <p>1 A Financial, you mean money?</p> <p>2 Q Yeah. Could you have afforded to go?</p> <p>3 A I had money. I had everything to go. Just I</p> <p>4 was scared to do so, so I don't get -- I don't die if</p> <p>5 something happened. I tried to stay away until we</p> <p>6 solve everything.</p> <p>7 Q Are there any other trips that you wanted to</p> <p>8 take but decided not to because of your belief that</p> <p>9 you're on a watch list?</p> <p>10 A Yes.</p> <p>11 Q What else?</p> <p>12 A I wanted to go to -- there is a lot of times</p> <p>13 where my brothers, my cousins had vacations and trips</p> <p>14 outside the United States and they go together, and at</p> <p>15 the beginning they used to ask me if I wanted to come.</p> <p>16 But every time I told them I don't know. I don't want</p> <p>17 to cross a border at this time. I'm scared something</p> <p>18 happen to me, and to the point that they start</p> <p>19 planning trips and vacations or go to Turkey, go to</p> <p>20 Yemen, go wherever they go and not tell me, knowing</p> <p>21 that I will never do it or I will never be part of</p> <p>22 this.</p>	<p style="text-align: right;">Page 217</p> <p>1 And also, my cousins were traveling to</p> <p>2 California, traveling to New York by plane and I, I</p> <p>3 told them I cannot do it. Also, Malaysia. One of my</p> <p>4 friends asked me to go with him, and we had -- one of</p> <p>5 our friends that lived there had the hotel and told us</p> <p>6 to come, everything on him.</p> <p>7 I had a wide opportunity to go, but I was not</p> <p>8 able just because of the fear that was inside me.</p> <p>9 Q Okay. Do you have any plans for future</p> <p>10 travel?</p> <p>11 A If I feel better about crossing the border,</p> <p>12 even though I've traveled in 2017 to get married, but</p> <p>13 I was still scared during my whole flight.</p> <p>14 Q Well, my question is, do you have any</p> <p>15 specific plans for any trips you're planning to take</p> <p>16 in the future?</p> <p>17 A I'm planning to go visit my wife in the</p> <p>18 future. I don't know when. I'm still -- I honestly</p> <p>19 do not want to travel because I know something will</p> <p>20 happen. I just, I just started her visa application</p> <p>21 in December, hoping for her to get a visa and come</p> <p>22 instead of me going to Yemen.</p>

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<p style="text-align: right;">Page 218</p> <p>1 But I know that will not -- she will not get</p> <p>2 a visa, just because of me being on the watch list,</p> <p>3 and that would affect her coming here.</p> <p>4 Q Aside from an intention to travel to Yemen at</p> <p>5 some point to visit your wife, do you have any future</p> <p>6 travel planned at this point in time?</p> <p>7 A No.</p> <p>8 Q Are you an account holder on a personal</p> <p>9 checking or savings account at any United States bank?</p> <p>10 A I have a checking, receiving and saving</p> <p>11 account in PNC.</p> <p>12 Q All at PNC?</p> <p>13 A Yes.</p> <p>14 Q Do you have any other accounts at any other</p> <p>15 American banks?</p> <p>16 A No.</p> <p>17 Q For your checking account, when did you open</p> <p>18 that account?</p> <p>19 MS. MASRI: Pursuant to the court's order,</p> <p>20 the questions that you can ask are the institution,</p> <p>21 what type of account and whether it's been closed, and</p> <p>22 those are the only questions that the judge permitted.</p>	<p style="text-align: right;">Page 220</p> <p>1 bank accounts unless I say that you can.</p> <p>2 THE WITNESS: Okay.</p> <p>3 MS. KONKOLY: Okay. Are you going to follow</p> <p>4 your attorney's instruction not to answer that</p> <p>5 question? You don't have to. It's your choice. I'm</p> <p>6 asking you are you following that instruction, would</p> <p>7 you like to answer the question?</p> <p>8 THE WITNESS: I don't want to answer.</p> <p>9 MS. MASRI: Hold on. I just want to state</p> <p>10 for the record, it is completely inappropriate for you</p> <p>11 to tell my client that he doesn't need to follow my</p> <p>12 instructions.</p> <p>13 MS. KONKOLY: I retract that.</p> <p>14 MS. MASRI: You're not his attorney.</p> <p>15 MS. KONKOLY: Okay.</p> <p>16 MS. MASRI: Yes. You're not his attorney, so</p> <p>17 please don't provide that instruction --</p> <p>18 MS. KONKOLY: It is an appropriate question</p> <p>19 to ask him whether he's going to follow your advice or</p> <p>20 whether he's going to answer the question.</p> <p>21 MS. MASRI: That's fine --</p> <p>22 MS. KONKOLY: That's a fair question.</p>
<p style="text-align: right;">Page 219</p> <p>1 MS. KONKOLY: The judge permitted reasonable</p> <p>2 questions into the banks. He did not say that we were</p> <p>3 not allowed to ask about how long the account had been</p> <p>4 opened. It would be relevant to show how long it had</p> <p>5 remained opened without being closed if that was in</p> <p>6 fact the case.</p> <p>7 MS. MASRI: That was not the judge's order.</p> <p>8 MS. KONKOLY: Okay. Well, we may take that</p> <p>9 up with the court then.</p> <p>10 MS. MASRI: We can, yes, and I'm objecting</p> <p>11 based on --</p> <p>12 MS. KONKOLY: We may need to.</p> <p>13 MS. MASRI: --the court order. Those are the</p> <p>14 three questions that I'm going to allow my client to</p> <p>15 answer.</p> <p>16 MS. KONKOLY: Okay. I'm going to state the</p> <p>17 question again for the record, so we can create a</p> <p>18 clean record if we need to take this to the Court.</p> <p>19 When did you open your checking account with PNC Bank?</p> <p>20 MS. MASRI: Same objection.</p> <p>21 THE WITNESS: I do not recall.</p> <p>22 MS. MASRI: Don't answer any questions about</p>	<p style="text-align: right;">Page 221</p> <p>1 MS. MASRI: But you instructed him and</p> <p>2 advised him --</p> <p>3 MS. KONKOLY: I did not.</p> <p>4 MS. MASRI: You advised him that he doesn't</p> <p>5 need to follow my instruction. It is not your place</p> <p>6 to advise my client because you're not his attorney.</p> <p>7 MS. KONKOLY: Okay. I apologize. I should</p> <p>8 not have said that sentence. Your instructions not to</p> <p>9 answer are also completely improper.</p> <p>10 MS. MASRI: That's your position.</p> <p>11 BY MS. KONKOLY:</p> <p>12 Q For your receiving account, what is a</p> <p>13 receiving account? I'm not familiar with that term.</p> <p>14 A It's called reserved account. It just -- I</p> <p>15 never use it anyway. It just comes as a package with</p> <p>16 the checking and receiving, reserved and checking.</p> <p>17 Q Is that like a special account for your</p> <p>18 family to send you money?</p> <p>19 MS. MASRI: Again, I'm going to instruct --</p> <p>20 MS. KONKOLY: I'm just trying to figure out</p> <p>21 what this account is.</p> <p>22 MS. MASRI: Well, but you asked him a</p>

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<p style="text-align: right;">Page 222</p> <p>1 specific question about this particular account. If</p> <p>2 you want to ask him what his understanding of a</p> <p>3 receiving account is, that's fine. But any questions</p> <p>4 about this specific account, don't answer.</p> <p>5 BY MS. KONKOLY:</p> <p>6 Q What is your understanding of what a</p> <p>7 receiving account is?</p> <p>8 A I don't know.</p> <p>9 Q Does your family use this account to send you</p> <p>10 money?</p> <p>11 MS. MASRI: Again, same objection. Don't</p> <p>12 answer.</p> <p>13 BY MS. KONKOLY:</p> <p>14 Q Are you going to answer the question?</p> <p>15 A No.</p> <p>16 Q When did you open your savings account with</p> <p>17 PNC Bank?</p> <p>18 MS. MASRI: Same objection.</p> <p>19 THE WITNESS: I don't want to answer that.</p> <p>20 BY MS. KONKOLY:</p> <p>21 Q Has PNC Bank ever closed any of these</p> <p>22 accounts?</p>	<p style="text-align: right;">Page 224</p> <p>1 Q Do you maintain or have access to any</p> <p>2 business bank accounts as opposed to a personal bank</p> <p>3 account in the United States?</p> <p>4 A No.</p> <p>5 Q Have you ever wired money to any person or</p> <p>6 entity in a foreign country?</p> <p>7 A Yes.</p> <p>8 Q Okay.</p> <p>9 A Through -- yeah. Are you referring to a bank</p> <p>10 wire transfer?</p> <p>11 Q Any kind of wire transfer.</p> <p>12 A I did send money to -- I did send money, but</p> <p>13 I do not recall of them.</p> <p>14 Q How many times have you sent money?</p> <p>15 A I do not recall.</p> <p>16 Q Can you estimate please?</p> <p>17 A From when to when?</p> <p>18 Q Since you turned 18.</p> <p>19 A Over three transfers.</p> <p>20 Q More than five?</p> <p>21 A I'm not sure.</p> <p>22 Q More than ten?</p>
<p style="text-align: right;">Page 223</p> <p>1 A No.</p> <p>2 Q Has PNC Bank ever attempted to close any of</p> <p>3 these accounts?</p> <p>4 A I don't know what they attempt to do.</p> <p>5 Q Do you have any knowledge that they've ever</p> <p>6 attempted to close any of those accounts?</p> <p>7 A That's the same question. I don't know.</p> <p>8 Q Have you ever had any other American bank</p> <p>9 accounts since you turned 18?</p> <p>10 A No.</p> <p>11 Q Have you ever tried to open a bank account at</p> <p>12 a different bank and had your request refused?</p> <p>13 A I do not recall.</p> <p>14 Q Are there any closed accounts that you</p> <p>15 previously held with other U.S. banks?</p> <p>16 A No.</p> <p>17 Q Do you have a joint bank account with your</p> <p>18 spouse?</p> <p>19 A No.</p> <p>20 Q Do you maintain or have access to any</p> <p>21 business bank accounts in the United States?</p> <p>22 A Can you repeat that question?</p>	<p style="text-align: right;">Page 225</p> <p>1 A I'm not sure.</p> <p>2 Q Have you ever had any problems transferring</p> <p>3 money when you've tried to transfer money?</p> <p>4 A Yes. I am not sure which one and to who, but</p> <p>5 it was to Yemen and when I sent it, they asked me to</p> <p>6 -- the guy at the store that I transferred the money</p> <p>7 from told me that they took the money and they put it</p> <p>8 on hold. So if I want to take it back or for the</p> <p>9 person I sent to receive it, I have to call their</p> <p>10 number.</p> <p>11 I called and they told me I asked who am I</p> <p>12 speaking to, and they told me this is a government</p> <p>13 agent. They cannot give me all the information.</p> <p>14 Q I'm not sure I understand the testimony you</p> <p>15 just gave, so I'm going to need to ask some follow-up</p> <p>16 questions. Who were you attempting to transfer money</p> <p>17 to on this occasion?</p> <p>18 A I do not recall.</p> <p>19 Q Who have you transferred money to?</p> <p>20 MS. MASRI: I'm going to object along the</p> <p>21 same lines that I objected to earlier.</p> <p>22 MS. KONKOLY: You can answer.</p>

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<p>1 MS. MASRI: I'm going to instruct my client</p> <p>2 again not to answer based on the court order. Any</p> <p>3 specific financial transactional information is --</p> <p>4 MS. KONKOLY: I'm trying to figure out what</p> <p>5 happened here.</p> <p>6 MS. MASRI: No, you're not. That's a</p> <p>7 specific financial -- you're asking about prior</p> <p>8 transactions. He talked about a particular incident</p> <p>9 right now. Right now, you're asking about prior</p> <p>10 transactions and specific individuals that he</p> <p>11 transferred to. So no --</p> <p>12 MS. KONKOLY: Okay. Your speaking objections</p> <p>13 are improper. I'm going to ask that you cease that</p> <p>14 practice.</p> <p>15 MS. MASRI: That is not a speaking objection</p> <p>16 because --</p> <p>17 MS. KONKOLY: It is a speaking objection</p> <p>18 Lena, and I'm going to ask that you cease that</p> <p>19 improper practice.</p> <p>20 MS. MASRI: It is not -- this is not --</p> <p>21 MS. KONKOLY: I will rephrase my question.</p> <p>22 Let's move on.</p>	<p>1 described, having an issue transferring money occur?</p> <p>2 A Between 2013 and 2016.</p> <p>3 Q Do you recall who you were attempting to</p> <p>4 transfer money to at this time?</p> <p>5 A I already answered that. It's no, I do not</p> <p>6 recall.</p> <p>7 Q Are there a group of people or entities that</p> <p>8 it could be?</p> <p>9 A No.</p> <p>10 Q Like you know, it could be A, B or C, or</p> <p>11 you're not sure which of the three it would be? If</p> <p>12 you're not sure which -- if there's a group of people</p> <p>13 or entities that would be possibilities, that is my</p> <p>14 question to you.</p> <p>15 A It has to be one my family or relatives.</p> <p>16 Q Okay, and by family or relatives, do you mean</p> <p>17 your immediate family?</p> <p>18 MS. MASRI: And again, we already discussed</p> <p>19 distinct financial transactions are out of scope. The</p> <p>20 judge has already declared that not to be relevant.</p> <p>21 BY MS. KONKOLY:</p> <p>22 Q I'm trying to figure out what the problem</p>
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<p>1 MS. MASRI: No, I need to finish what I'm</p> <p>2 saying. This is not a speaking objection because I</p> <p>3 already instructed my client not to answer the</p> <p>4 question. Go ahead.</p> <p>5 MS. KONKOLY: I'm going to ask you to cease</p> <p>6 your practice of improper speaking objections.</p> <p>7 MS. MASRI: Characterize it however you want.</p> <p>8 That's not what it is.</p> <p>9 BY MS. KONKOLY:</p> <p>10 Q You said you've transferred money on about</p> <p>11 three occasions; is that correct?</p> <p>12 A More than three occasions.</p> <p>13 Q More than three. Is it more than five?</p> <p>14 A I'm not sure.</p> <p>15 Q Okay. When was the first time you</p> <p>16 transferred money?</p> <p>17 A The first time?</p> <p>18 Q Yes.</p> <p>19 A I do not recall.</p> <p>20 Q Approximately how old were you?</p> <p>21 A I don't know.</p> <p>22 Q Approximately when did this incident that you</p>	<p>1 might have been with an incident that he has put at</p> <p>2 issue. The person or entity who is at the receiving</p> <p>3 end of this transaction is absolutely relevant to that</p> <p>4 question.</p> <p>5 A I do not recall who was it for, so I do not</p> <p>6 -- I cannot say who, if the immediate family or second</p> <p>7 family, I'm not sure who was it. I just know it was</p> <p>8 transferred to Yemen.</p> <p>9 Q Oaky. It's possible that it could have been</p> <p>10 to an aunt or uncle in addition to one of your parents</p> <p>11 or brothers or sisters is what you're saying?</p> <p>12 A I'm not sure.</p> <p>13 Q Okay. Which wire transfer company were you</p> <p>14 attempting to use?</p> <p>15 A Western Union or MoneyGram.</p> <p>16 Q Have you ever used any other companies?</p> <p>17 A I'm not sure.</p> <p>18 Q And I don't think I understood what you were</p> <p>19 saying happened earlier. What was the issue that was</p> <p>20 described to you as to why the transaction could not</p> <p>21 be completed?</p> <p>22 MS. MASRI: Objection also to form, objection</p>

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<p style="text-align: right;">Page 230</p> <p>1 vague. It's not clear who you're referring to.</p> <p>2 BY MS. KONKOLY:</p> <p>3 Q I'll rephrase. When did you learn that there</p> <p>4 was a problem with the transfer you were attempting to</p> <p>5 make?</p> <p>6 A Are you referring to the transfer that was --</p> <p>7 that I was told by the sales cashier to call?</p> <p>8 Q Yes. I was confused by your follow-up</p> <p>9 question because I did not understand what you were</p> <p>10 saying. Who told you that there was a problem with</p> <p>11 that transfer?</p> <p>12 A The cashier told me it just got put on hold,</p> <p>13 and I have to call this number that popped up on his</p> <p>14 screen.</p> <p>15 Q Okay. This is at the counter?</p> <p>16 A Yes.</p> <p>17 Q Did you go in to try to make this transfer in</p> <p>18 person at like the store, like a storefront, money</p> <p>19 transfer company? Were you making this transfer --</p> <p>20 let me strike that. Were you trying to make this</p> <p>21 transfer online or in person at a counter staffed by</p> <p>22 the company that you were using?</p>	<p style="text-align: right;">Page 232</p> <p>1 this, and he told he cannot release these information,</p> <p>2 and I want my money, I have to answer all his</p> <p>3 questions.</p> <p>4 Q What type of questions did he have for you?</p> <p>5 A Details about the transaction and the person</p> <p>6 that's receiving, and where I gained that money from.</p> <p>7 Q Did you provide answers to the questions that</p> <p>8 he asked?</p> <p>9 A I had no other choice.</p> <p>10 Q And was the money ultimately transferred to</p> <p>11 the person you were trying to transfer money to?</p> <p>12 A Yes.</p> <p>13 Q So the transaction was completed?</p> <p>14 A After the phone call, yes.</p> <p>15 Q How long did that take?</p> <p>16 A After the phone call, he told me it would</p> <p>17 take an hour for them to release it.</p> <p>18 Q Okay. I understand that you've wired money</p> <p>19 on at least approximately three occasions; is that</p> <p>20 correct?</p> <p>21 A Yes.</p> <p>22 Q Okay. Were there any other issues with the</p>
<p style="text-align: right;">Page 231</p> <p>1 A It was a counter. Like I mentioned earlier,</p> <p>2 I don't know where was it, but it was a person that</p> <p>3 was at the counter.</p> <p>4 Q Okay, and did they tell you immediately that</p> <p>5 there was a problem?</p> <p>6 A After they finished the transaction and took</p> <p>7 the money, because I have mentioned that I have no way</p> <p>8 to take it back because the company took the money,</p> <p>9 but it's not going to show up for the person who's</p> <p>10 going to receive it unless I call this number. That's</p> <p>11 what it shows on that screen.</p> <p>12 Q Okay, and did you call that number?</p> <p>13 A I did.</p> <p>14 Q Okay, and who answered the phone at the</p> <p>15 number that you were provided?</p> <p>16 A It was a person that told -- began like</p> <p>17 asking me details about the transaction and then the</p> <p>18 number, and then he started asking me about -- I</p> <p>19 stopped him and asked him who is this questions are</p> <p>20 for, and he told me this is a government agency. We</p> <p>21 need to know these information. I asked him which</p> <p>22 government agent. I need to know who, why I'm having</p>	<p style="text-align: right;">Page 233</p> <p>1 other times that you have wired money?</p> <p>2 A No.</p> <p>3 Q Have you wired money since this incident that</p> <p>4 you just told me about?</p> <p>5 A Yes.</p> <p>6 Q And has anything happened -- did you</p> <p>7 encounter any problems wiring money subsequent to the</p> <p>8 incident that you just told me about?</p> <p>9 A No.</p> <p>10 Q Okay. So I believe you've mentioned some of</p> <p>11 this, but I'd like a complete answer. Can you please</p> <p>12 tell me any immediate relatives who reside in foreign</p> <p>13 countries?</p> <p>14 A I do not understand that question.</p> <p>15 Q Does anyone in your immediate family reside</p> <p>16 in a country other than the United States?</p> <p>17 MS. MASRI: Objection vague, objection as to</p> <p>18 form.</p> <p>19 THE WITNESS: What do you mean by immediate</p> <p>20 family?</p> <p>21 BY MS. KONKOLY:</p> <p>22 Q Well, do your mother or your father live in</p>

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<p style="text-align: right;">Page 234</p> <p>1 foreign countries?</p> <p>2 A At this time?</p> <p>3 Q Yes.</p> <p>4 A No. They live in Michigan.</p> <p>5 Q Okay. Do any of your siblings live in</p> <p>6 foreign countries right now?</p> <p>7 A My older brother.</p> <p>8 Q Okay. Where does he live?</p> <p>9 A He lives in Saudi Arabia.</p> <p>10 Q And your wife lives in Yemen; is that</p> <p>11 correct?</p> <p>12 A Correct.</p> <p>13 Q Have you ever sponsored by relative for</p> <p>14 immigration into the United States?</p> <p>15 A What does that mean?</p> <p>16 Q Have you ever tried to use the benefit of</p> <p>17 your citizenship to bring someone to the United States</p> <p>18 who otherwise would not have the right to be here?</p> <p>19 A No.</p> <p>20 Q Did you say earlier that you had applied for</p> <p>21 a visa for your wife?</p> <p>22 A I did.</p>	<p style="text-align: right;">Page 236</p> <p>1 December, and I haven't heard any from immigration and</p> <p>2 I've been checking my status, and there is nothing</p> <p>3 listed after the receipt being sent to me. I believe</p> <p>4 that will not move forward based on me being on the</p> <p>5 watch list, and that will affect my wife coming here.</p> <p>6 That's it.</p> <p>7 Q What is the basis for that belief?</p> <p>8 MS. MASRI: I'm going to object. To the</p> <p>9 extent your response involves attorney-client</p> <p>10 privileged communications, then don't disclose it.</p> <p>11 Otherwise, answer if you can.</p> <p>12 THE WITNESS: I won't answer that.</p> <p>13 MS. KONKOLY: No, you need to answer. You</p> <p>14 are not -- you need to answer it to the extent that it</p> <p>15 doesn't -- your answer doesn't involve a communication</p> <p>16 with your attorney. I'm asking you for your personal,</p> <p>17 what is your -- what is the basis for your belief that</p> <p>18 her visa will not be granted?</p> <p>19 MS. MASRI: I'm going to repeat my objection.</p> <p>20 If you're not able to answer the question without</p> <p>21 disclosing attorney-client privilege, then state that</p> <p>22 as your answer. Otherwise, if you're able to answer</p>
<p style="text-align: right;">Page 235</p> <p>1 Q So that's what I mean by sponsoring for</p> <p>2 immigration.</p> <p>3 A Okay. You said -- you asked me about my</p> <p>4 wife, and then you asked me another question about any</p> <p>5 other person. So that was definitely not referring to</p> <p>6 my wife.</p> <p>7 Q Well, I would consider your spouse a</p> <p>8 relative, but I'll define that. Have you ever</p> <p>9 sponsored any relative, by which I mean either your</p> <p>10 parents, your siblings, spouse or a child for</p> <p>11 immigration to the United States?</p> <p>12 A My wife only.</p> <p>13 Q Okay. You haven't sponsored anyone else?</p> <p>14 A No.</p> <p>15 Q Okay. When did you make that application?</p> <p>16 A In December, the beginning of December.</p> <p>17 Q Of 2017?</p> <p>18 A Yes.</p> <p>19 Q Okay, and what action, if any, that you know</p> <p>20 of has been taken on that application so far?</p> <p>21 A All I know is I received the receipt of my</p> <p>22 application fees through the mail on December, mid-</p>	<p style="text-align: right;">Page 237</p> <p>1 then answer.</p> <p>2 MS. KONKOLY: I mean that is a highly</p> <p>3 improper speaking objection.</p> <p>4 MS. MASRI: It is not improper.</p> <p>5 MS. KONKOLY: You are coaching your witness</p> <p>6 to provide that answer. That's not proper.</p> <p>7 MS. MASRI: It's not proper --</p> <p>8 MS. KONKOLY: That's not proper.</p> <p>9 MS. MASRI: I mean what you're saying is not</p> <p>10 proper. I'm instructing my client to answer your</p> <p>11 question if he's able to answer your question.</p> <p>12 MS. KONKOLY: I'd like to be clear that this</p> <p>13 isn't a choice that you have about whether you would</p> <p>14 like to answer the question. You're required to</p> <p>15 answer the question to the extent it does not</p> <p>16 implicate the privilege.</p> <p>17 THE WITNESS: I believe if me, every time I</p> <p>18 come to the United States as a U.S. citizen being</p> <p>19 harassed and get this kind of treatment at every</p> <p>20 border I cross, have difficulty to enter the United</p> <p>21 States, and not any other country, I would highly</p> <p>22 believe that my spouse that I'm sponsoring to come to</p>

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<p style="text-align: right;">Page 238</p> <p>1 the United States would face this issue or even get 2 rejected for getting a visa because I'm the person 3 sponsoring her, being on the watch list. 4 BY MS. KONKOLY: 5 Q When you made the application, were you given 6 any time frame by U.S. CIS, and that's the government 7 agency that processes these applications? When you 8 made the application, did the government agency 9 indicate to you how long you can expect to wait for 10 your answer on the visa? 11 A No. 12 Q Okay. Are you represented by -- I'm just 13 asking you whether you are or are not represented by 14 an attorney for that process? 15 A What does that mean? 16 Q Did you make the application by yourself or 17 did you work with an attorney to put that application 18 in, and all I'm asking is for the fact of 19 representation or not? 20 A I did it by myself. 21 Q Okay. So CAIR does not represent you in that 22 process?</p>	<p style="text-align: right;">Page 240</p> <p>1 pending right in front of you that involves these 2 allegations. 3 BY MS. KONKOLY: 4 Q Representation before CIS is a different 5 matter, and that's why I'm attempting to ask about it. 6 I'll move on. Have you ever applied for a job with a 7 contractor, and by that, I mean a company that 8 provides services of some type to the federal 9 government? 10 A Applied for? I'm sorry, can you repeat that? 11 Q Have you applied for a job with a government 12 contractor and by government contractor, what I mean 13 is a company that provides services directly to the 14 federal government? 15 A I do not recall. 16 Q Do you own any firearms? 17 A Not right now. 18 Q Have you owned firearms in the past? 19 A I did. 20 Q Okay. I'm going to ask you about each one of 21 those. How many firearms have you owned? 22 A I owned a handgun.</p>
<p style="text-align: right;">Page 239</p> <p>1 A No. 2 Q Okay. I don't understand what the basis for 3 that instruction was then. 4 MS. MASRI: Which instruction? 5 MS. KONKOLY: Not to answer if it was -- 6 MS. MASRI: Regarding the immigration delay, 7 yes. That is a different question than whether he 8 prepared his immigration application. 9 BY MS. KONKOLY: 10 Q Are you represented by CAIR for purposes of 11 the delay that you allege is occurring with respect to 12 that visa application? 13 A I do not understand that question. What do 14 you mean? Can you repeat that? 15 Q Are you represented in any aspect of the visa 16 application you have put in for your wife by an 17 attorney, whether that be CAIR or someone else? 18 MS. MASRI: I'm going to object. 19 MS. KONKOLY: It's just a yes/no. 20 MS. MASRI: I still have the right to make my 21 objection. I'm going to object generally as to form. 22 Your question is vague. You clearly have a lawsuit</p>	<p style="text-align: right;">Page 241</p> <p>1 Q Okay. What type of gun? 2 A I don't know. 3 Q When did you purchase this gun? 4 A It was in -- between 2013 and 2015. I'm not 5 sure of the exact date. 6 Q You say you graduated from college in 2013? 7 I'm sorry, 2016. 8 A Yes. 9 Q Did you own this handgun while you were in 10 college? 11 A Yes. 12 Q How long did you own it for? 13 A I'm not sure. 14 Q Where did you purchase this handgun? 15 A I purchased it from a friend. 16 Q Why did you purchase this handgun? 17 A I purchased it because my work used to be 18 from Dearborn to Warren, and I have to go through 19 Detroit and it was dangerous, and I used to just fear 20 being alone. So for self-protection. 21 Q Did you have a concealed carry license? 22 A No.</p>

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<p>1 Q Did you encounter any problems or delays in 2 purchasing this firearm? 3 A No. 4 Q When did you get rid of the firearm? 5 A I'm not sure how long I had it for, so I'm 6 not sure when I got rid of it. 7 Q Was it more than a year ago? 8 A I'm not sure. 9 Q How did you get rid of it? 10 A I sold it to one of my friends. It was -- it 11 wasn't actually a friend. It was a customer that used 12 to come to the gas station that I used to work at, and 13 the reason I sold it was because of what I was going 14 through in the borders, Canadian border, because I did 15 not want that to be a reason for anyone to say what 16 happened to me is relevant to me having a gun. So I 17 got rid of it, and I remember selling it for a quarter 18 of the price that I purchased it for. 19 Q Have you ever owned any other guns besides 20 the one we've just been discussing? 21 A No. 22 Q Have you ever tried to buy a firearm and had</p>	<p>1 Q Did you have any trouble accessing the boat? 2 A No. 3 Q Have you ridden on any other boat since you 4 turned 18? 5 A I do not recall. 6 Q Have you ever tried to take any type of boat 7 ride but denied access to the boat? 8 A Could you repeat that? 9 Q Have you ever tried to take any type of boat 10 ride but then denied access to the boat? 11 A No. 12 Q Have you ever tried to rent a boat but had 13 your request refused by the boat's owner? 14 A No. 15 Q Do you own a boat? 16 A No. 17 Q Have you ever tried to buy a boat? 18 A No. 19 Q Do you know what a hazmat license is? 20 A No. 21 Q Have you ever applied for a license to handle 22 hazardous materials?</p>
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<p>1 the firearm dealer refuse to sell you the gun? 2 A No. 3 Q Have you ever ridden on a boat? 4 A I'm sorry, what was that? 5 Q Have you ever ridden on a boat? 6 A Written on the boat? 7 Q Ridden, like have you ever taken a ride on a 8 boat? 9 A When was that question? 10 Q Since you turned 18, have you ever taken a 11 ride on a boat? 12 A I did in Canada. 13 Q Okay, when? 14 A When I went my first time to Canada and I 15 stayed for nine days, we went to Toronto and we took 16 the boat from Trano (ph) to the, they call it the 17 island. The Trano Island was small, like two minutes 18 on the boat or five minutes. 19 Q Oh so the ferry? 20 A I don't know what that is. 21 Q Do you know what type of boat it was? 22 A No.</p>	<p>1 A What is a hazardous material? 2 Q Have you ever applied for a license to handle 3 hazardous chemicals and things like that? 4 A I don't know what that is. 5 Q Okay. Have you ever applied to work at an 6 airport? 7 A Yes. 8 Q Okay, when? 9 A I do not recall. 10 Q Where did you apply to work? 11 A In the DTW. 12 Q DTW, the Detroit airport? 13 A Yes. 14 Q For what type of job? 15 A I do not recall, but I'm not sure. 16 Q You don't recall what type of job? 17 A No. 18 Q Was it while you were in college? 19 A I was in college. 20 Q Was it for a part-time job? 21 A Yes. 22 Q Would it have been for something like a food</p>

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<p style="text-align: right;">Page 246</p> <p>1 cart job?</p> <p>2 A I'm pretty sure it was some security or</p> <p>3 something. All I remember was something that can be</p> <p>4 experience for the field I'm going for, which is</p> <p>5 Criminal Justice.</p> <p>6 Q Did you apply to work for TSA?</p> <p>7 A I think that was the job that I applied for.</p> <p>8 Q Was it a full-time job or a part-time job?</p> <p>9 A I'm not sure.</p> <p>10 Q Was this -- do you recall what year of</p> <p>11 college this was, your freshman year?</p> <p>12 A I'm not sure.</p> <p>13 Q What happened to the application?</p> <p>14 A I took the test and failed the test.</p> <p>15 Q Okay. Have you applied for any other jobs at</p> <p>16 an airport?</p> <p>17 A No.</p> <p>18 Q Have you ever applied to work for an airline?</p> <p>19 A I do not recall.</p> <p>20 Q Do you know how to pilot a plane?</p> <p>21 A No.</p> <p>22 Q Ever applied for a license from the Federal</p>	<p style="text-align: right;">Page 248</p> <p>1 school.</p> <p>2 Q Okay. Have you ever owned a car in your own</p> <p>3 name?</p> <p>4 A Yes.</p> <p>5 Q Okay. What's the first car that you</p> <p>6 purchased in your own name?</p> <p>7 A I believe it was a Mustang 2011.</p> <p>8 Q Okay.</p> <p>9 A And just for the record, it was -- I</p> <p>10 purchased it to sell it to my uncle and it did not</p> <p>11 stay under my name for more than two weeks.</p> <p>12 Q Okay. Did you have any difficulties in</p> <p>13 purchasing that Mustang?</p> <p>14 A No.</p> <p>15 Q Okay. What's the next car that you purchased</p> <p>16 in your own name?</p> <p>17 A I leased a car.</p> <p>18 Q Okay.</p> <p>19 A In 2015.</p> <p>20 Q What type of car?</p> <p>21 A A Ram truck.</p> <p>22 Q Did you have any problems leasing that truck?</p>
<p style="text-align: right;">Page 247</p> <p>1 Aviation Administration to operate or pilot an</p> <p>2 aircraft?</p> <p>3 A No.</p> <p>4 Q Any license to operate a motor vehicle?</p> <p>5 A Like a car?</p> <p>6 Q Yes.</p> <p>7 A Yes.</p> <p>8 Q Okay. Do you have a driver's license from</p> <p>9 the state of Michigan?</p> <p>10 A Yes.</p> <p>11 Q When did Michigan first issue that license to</p> <p>12 you?</p> <p>13 A Okay. When I first moved to Dearborn in</p> <p>14 around 2013.</p> <p>15 Q Okay. Have you owned any cars since you</p> <p>16 moved to the United States?</p> <p>17 A Owned cars, yes.</p> <p>18 Q Yes, okay. I need to ask you about all of</p> <p>19 them. What was the first car that you owned here?</p> <p>20 A Cars? Before I answer these questions, I had</p> <p>21 cars but none of them were mine. They were just my</p> <p>22 uncles giving to me so I can commute from home to</p>	<p style="text-align: right;">Page 249</p> <p>1 A Not really.</p> <p>2 Q Okay. Is that the truck you're still</p> <p>3 driving?</p> <p>4 A I already got the lease a few months ago.</p> <p>5 Q Okay. Do you currently lease or own a car in</p> <p>6 your own name?</p> <p>7 A I do own a car. I bought the -- wait.</p> <p>8 Stayed in my name for less than two weeks, and I had</p> <p>9 it moved to my aunt's name.</p> <p>10 Q Okay. I'm still going to ask about it, since</p> <p>11 you purchased it. What was the car that you purchased</p> <p>12 and then sold to your aunt?</p> <p>13 A A Nissan 2012.</p> <p>14 Q Okay. When did you make that purchase?</p> <p>15 A In the past two months.</p> <p>16 Q Okay. Did you have any problems making that</p> <p>17 purchase?</p> <p>18 A No.</p> <p>19 Q Aside from the Mustang, the Ram truck and the</p> <p>20 2012 Nissan, are there any other cars that you have</p> <p>21 owned or leased in your own name since you turned 18?</p> <p>22 A Not that I know of.</p>

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<p>1 Q Okay. So you don't currently own or lease a</p> <p>2 car?</p> <p>3 A No.</p> <p>4 Q Okay. Have you ever been told by a car</p> <p>5 dealer that they cannot let you take a car for a test</p> <p>6 drive?</p> <p>7 A No.</p> <p>8 Q Have you ever been told by a car dealer that</p> <p>9 they cannot let you purchase a car?</p> <p>10 A No.</p> <p>11 Q Have you ever been pulled over by a police</p> <p>12 officer while driving a car for a traffic violation?</p> <p>13 A Yes.</p> <p>14 Q Okay. I need to ask you about each time</p> <p>15 that's happened since you turned 18.</p> <p>16 A Okay.</p> <p>17 Q What's the first time?</p> <p>18 A The first time, based off my knowledge, was</p> <p>19 in the City of Hamtramck, and the traffic violation</p> <p>20 was no turn between 3:00 and 6:00 p.m.</p> <p>21 Q Okay. Did you get a ticket?</p> <p>22 A Yes.</p>	<p>1 A I'm not sure, but more than three.</p> <p>2 Q Okay. Let's talk about all the ones that you</p> <p>3 remember. What's the next time that you remember</p> <p>4 being pulled over?</p> <p>5 A Okay. This is not in order. I do not recall</p> <p>6 when all of them or each one of them happened, but</p> <p>7 I'll state the ones that I have on my mind right now.</p> <p>8 I got ticket in Ohio for speeding.</p> <p>9 Q Okay.</p> <p>10 A And I got a ticket in Pennsylvania for</p> <p>11 speeding. I got a ticket for texting and driving in</p> <p>12 Michigan.</p> <p>13 Q Have there been other times you've been</p> <p>14 pulled over but haven't been given a ticket?</p> <p>15 A Yes.</p> <p>16 Q How many other times?</p> <p>17 A One time.</p> <p>18 Q Okay, and what was that for?</p> <p>19 A In Michigan. It was speeding.</p> <p>20 Q Okay. Do you have any basis to believe that</p> <p>21 the police officers in any of these four encounters,</p> <p>22 Ohio for speeding, Pennsylvania for speeding, Michigan</p>
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<p>1 Q Did the officer tell you why you were pulled</p> <p>2 over?</p> <p>3 A Yes.</p> <p>4 Q When did this happen?</p> <p>5 A I do not recall.</p> <p>6 Q Approximately when?</p> <p>7 A Between 2014 and 2015.</p> <p>8 Q Were you still in college?</p> <p>9 A Yes.</p> <p>10 Q Do you have any reason to believe that the</p> <p>11 police officer believed you were on the watch list?</p> <p>12 MS. MASRI: Objection as to form, calls for</p> <p>13 speculation.</p> <p>14 BY MS. KONKOLY:</p> <p>15 Q You can answer.</p> <p>16 A No.</p> <p>17 Q What's the next time you were pulled over?</p> <p>18 A I do not recall.</p> <p>19 Q Have there been more than one occasion when</p> <p>20 you've been pulled over for a traffic violation?</p> <p>21 A Yes.</p> <p>22 Q Okay. How many times all together?</p>	<p>1 for texting and driving and Michigan for speeding, do</p> <p>2 you have any basis to believe that any of those police</p> <p>3 officers believed you were on a watch list?</p> <p>4 MS. MASRI: Objection, calls for a legal</p> <p>5 conclusion. Calls for speculation.</p> <p>6 THE WITNESS: I don't know.</p> <p>7 MS. KONKOLY: All right. Let me just break</p> <p>8 them down one by one so we get a clear transcript. Do</p> <p>9 you have any reason to believe that the officer who</p> <p>10 pulled you over and ticketed you in Ohio for speeding</p> <p>11 believed you to be on a watch list?</p> <p>12 MS. MASRI: Same objections.</p> <p>13 THE WITNESS: I don't know.</p> <p>14 MS. KONKOLY: Do you have any basis to</p> <p>15 believe that the officer in Pennsylvania who pulled</p> <p>16 you over and ticketed you for speeding believed you to</p> <p>17 be on a watch list?</p> <p>18 MS. MASRI: Same objections, calls for a</p> <p>19 legal conclusion, calls for speculation.</p> <p>20 THE WITNESS: I don't know.</p> <p>21 MS. KONKOLY: Do you have any basis to</p> <p>22 believe that the officer who pulled you over and</p>

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<p style="text-align: right;">Page 254</p> <p>1 ticketed you for texting while driving in Michigan had 2 believed you to be on a watch list? 3 MS. MASRI: Same objections, calls for a 4 legal conclusion, calls for speculation. 5 THE WITNESS: I don't know. 6 MS. KONKOLY: And do you have any basis to 7 believe that the officer who pulled you over but did 8 not ticket you for speeding in Michigan believed you 9 to be on a watch list? 10 MS. MASRI: Same objections, calls for a 11 legal conclusion, calls for speculation. 12 THE WITNESS: I don't know. 13 BY MS. KONKOLY: 14 Q Have you ever been convicted of any crime? 15 A No. 16 Q Have you ever been indicted of any crime? 17 A What does indicted mean? 18 Q Have you ever been charged with any crime? 19 A No. 20 Q Do you believe that your reputation has been 21 affected as a result of your alleged watch list 22 status?</p>	<p style="text-align: right;">Page 256</p> <p>1 making fun of it and it caused a problem in my home, 2 which made me book my own ticket and take it 3 seriously. 4 Even though my closer family think it's a 5 joke or sometimes bring it up as a joke, it affects me 6 every time someone brings it up because I know how 7 serious it is, and the dramatize (sic) that I have 8 from this experience I had on the border. So it 9 really affected me in every way, emotionally and 10 mentally and socially, and that's about it. 11 Q Do any of your colleagues who you work with, 12 do you have any reason to believe that they think 13 you're on a watch list? 14 MS. MASRI: Objection, calls for speculation. 15 THE WITNESS: I'm sorry. Can you repeat that 16 question? 17 BY MS. KONKOLY: 18 Q You mentioned two jobs that you work at; 19 correct, presently? 20 A At this time? 21 Q Yes. 22 A Yes.</p>
<p style="text-align: right;">Page 255</p> <p>1 MS. MASRI: Objection, calls for a legal 2 conclusion, calls for speculation. 3 THE WITNESS: Yes, very much. 4 BY MS. KONKOLY: 5 Q Okay. Please explain. 6 A Being on the watch list has affected me from 7 my friends, family and everyone around me. Every time 8 I mentioned this story or any travel or crossing the 9 border experience my -- to my family or my friends or 10 anyone I know, they told -- they tell me that this is 11 for sure you being on the watch list, which is 12 something I know. 13 And for that it affected me in a lot of ways. 14 One, I lost a lot of my friends because of the jokes 15 and the way they used to make about the incidents I 16 had in the border; the way they changed toward me or 17 tried to be away from me, being scared to be part of 18 this watch list. 19 I also my family would also sometimes tell me 20 okay, if we all have a family trip, you go on a 21 different route. Even to the point when we go -- when 22 we went to Saudi Arabia in 2017, my siblings were</p>	<p style="text-align: right;">Page 257</p> <p>1 Q The first one was as an applied behavior 2 technologist I believe? 3 A Yes. 4 Q Do any of your co-workers at that job to your 5 knowledge believe that you are on a watch list? 6 MS. MASRI: Objection, calls for speculation. 7 THE WITNESS: None of them know except one, 8 that told me before that I -- if anyone finds out, I 9 will be kicked out the job. Just for or anyone of my, 10 anyone at Centria that knows about my history with the 11 border, I would probably lose my job. 12 BY MS. KONKOLY: 13 Q Who is this person who told you that? 14 A One of my co-workers. His name is Mariem. 15 Q Can you spell that please? 16 A M-R-I-A-M. 17 Q Is that a first or a last name? 18 A I haven't finished. I'm sorry. M-A-R-I-E-M, 19 and that's a first name. 20 Q Okay. Did you tell this person in the first 21 instance that you thought you were on a watch list? 22 A No.</p>

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<p style="text-align: right;">Page 258</p> <p>1 Q How did this person come to know about this</p> <p>2 then?</p> <p>3 A They saw a video on the You Tube about the</p> <p>4 case.</p> <p>5 Q He saw a You Tube video about this case?</p> <p>6 A Yes.</p> <p>7 Q Okay. Were you in the video?</p> <p>8 A Yes.</p> <p>9 Q Were you talking about being a plaintiff in</p> <p>10 the case?</p> <p>11 A Yes.</p> <p>12 Q Okay, and he told you that he'd seen the</p> <p>13 video?</p> <p>14 A Yes.</p> <p>15 Q Okay. How about at your other job, at the</p> <p>16 U.S. Security Associates? Do any of your colleagues</p> <p>17 at that job, to your knowledge, believe you are on a</p> <p>18 watch list?</p> <p>19 A No.</p> <p>20 Q Have you ever not applied for a job as a</p> <p>21 result of your alleged inclusion on a watch list?</p> <p>22 A Can you repeat that question?</p>	<p style="text-align: right;">Page 260</p> <p>1 A Police officer and reserved police officer,</p> <p>2 and officer, security officer.</p> <p>3 Q What you mean by security officer?</p> <p>4 A There was a job for the City of Dearborn as a</p> <p>5 security officer for the library or the City Hall</p> <p>6 Building they needed, but it was at the time that this</p> <p>7 incidents were happening to me at the border.</p> <p>8 But I really wanted something to be as</p> <p>9 experience for me for my field, but I pushed back</p> <p>10 because I believed that I will be denied based on</p> <p>11 what's going on, because I did not know what's</p> <p>12 happening in light of this is happening to me at that</p> <p>13 time.</p> <p>14 Q Okay. Was the police officer job that you</p> <p>15 wanted to apply for but didn't, was that also with the</p> <p>16 City of Dearborn?</p> <p>17 A Not just with the City of Dearborn. Also,</p> <p>18 the Lavonia; with the Brayloc (ph) I believe.</p> <p>19 Q Any others?</p> <p>20 A Not that I know of.</p> <p>21 Q Have you ever applied for a job but not</p> <p>22 received it, to your knowledge, as a result of your</p>
<p style="text-align: right;">Page 259</p> <p>1 Q Has there ever been a job that you wanted to</p> <p>2 apply for but decided not to because you believed you</p> <p>3 were on a watch list?</p> <p>4 A Yes.</p> <p>5 Q What job?</p> <p>6 A Any government job.</p> <p>7 Q What government jobs have you specifically</p> <p>8 wanted to apply to?</p> <p>9 A Anything in my field that I'm going for,</p> <p>10 which is law enforcement and most of law enforcement</p> <p>11 jobs are government jobs.</p> <p>12 Q But I'm asking like a specific job opening.</p> <p>13 I'd like you to list any specific openings that you</p> <p>14 saw and that you wanted to apply for.</p> <p>15 A Police officer, security officer. The job I</p> <p>16 mentioned earlier at the airport.</p> <p>17 Q You did apply for that job?</p> <p>18 A Yeah, I did apply. Are you asking what the</p> <p>19 thing that pushed me back not to apply?</p> <p>20 Q I'm asking if there's any time that you saw a</p> <p>21 job announcement and said I'd like to apply for that</p> <p>22 job but I'm not going to?</p>	<p style="text-align: right;">Page 261</p> <p>1 alleged inclusion on a watch list?</p> <p>2 MS. MASRI: Objection, calls for speculation.</p> <p>3 THE WITNESS: I did later on believe in 2017</p> <p>4 applied for many jobs, but with the City of Dearborn</p> <p>5 and Novi (ph) and Allen Park, but never even heard a</p> <p>6 denial on that application.</p> <p>7 BY MS. KONKOLY:</p> <p>8 Q What types of jobs were you applying for?</p> <p>9 A I'm sorry, give me a second. Reserved police</p> <p>10 officer, police officer, internship at the police</p> <p>11 department. I'm not sure what job was it for the City</p> <p>12 of Novi.</p> <p>13 Q Can you spell Novi?</p> <p>14 A N-O-V-I.</p> <p>15 Q Okay. These are all jobs that you did in</p> <p>16 fact apply for?</p> <p>17 A Yes.</p> <p>18 Q Okay, and do you allege that you did not get</p> <p>19 the job as a result of your placement on a watch list?</p> <p>20 MS. MASRI: Objection, calls for a legal</p> <p>21 conclusion.</p> <p>22 THE WITNESS: Yes.</p>


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<p style="text-align: right;">Page 262</p> <p>1 BY MS. KONKOLY:</p> <p>2 Q Okay, and what is the basis for that belief?</p> <p>3 A Because I know and I had friends that applied</p> <p>4 for other jobs with these cities, and they get either</p> <p>5 interview request or a denial to their application</p> <p>6 within two months of their application. But for me, I</p> <p>7 never get anything back. That makes me believe that</p> <p>8 I'm being on a watch list.</p> <p>9 Q Do you know -- let me go back to Tab A of the</p> <p>10 binder. I'm going to ask you to read the list of</p> <p>11 names in the caption, and my question to you is</p> <p>12 whether you know any of the persons listed there.</p> <p>13 MS. MASRI: And I'm going to state the same</p> <p>14 objection that I on the previous depositions, in that</p> <p>15 there's no way for him to know the identities of all</p> <p>16 of the Does, which there are five in the complaint.</p> <p>17 THE WITNESS: I'm sorry. Do I know any of</p> <p>18 them? I do not know them personally, but I know what</p> <p>19 happened to them, some of them.</p> <p>20 BY MS. KONKOLY:</p> <p>21 Q Have you met any of the persons listed in</p> <p>22 this caption in person?</p>	<p style="text-align: right;">Page 264</p> <p>1 me believe other -- that I'm on the watch list, other</p> <p>2 than the ones we've talked about?</p> <p>3 BY MS. KONKOLY:</p> <p>4 Q No. I'm asking about consequences of your</p> <p>5 belief that you're on the watch list, aside from</p> <p>6 things that we've already talked about. I don't need</p> <p>7 to repeat any testimony that you've already given?</p> <p>8 A You mean things that happened to me.</p> <p>9 Q Yes. Any consequences that you have, you</p> <p>10 know, suffered as a result of your alleged status on</p> <p>11 the watch list?</p> <p>12 A Yes, there is an incident. I do not remember</p> <p>13 if it's after being handcuffed the first time or the</p> <p>14 second time on crossing the tunnel, but it was around</p> <p>15 that time. I was being followed by random cars</p> <p>16 everywhere I go to work, to school and home, and</p> <p>17 everywhere I go.</p> <p>18 Every time I get in a car, I had a car would</p> <p>19 follow me everywhere, and it was -- the reason I know</p> <p>20 they were following me because it was seven cars that</p> <p>21 I remember everywhere I go. I see one of them being,</p> <p>22 following me, and one time I was driving to work on</p>
<p style="text-align: right;">Page 263</p> <p>1 A No.</p> <p>2 MS. KONKOLY: If I could take a quick break,</p> <p>3 I think I might be almost done.</p> <p>4 MS. MASRI: Okay. Could we just do a quick</p> <p>5 check on the time stamp while we're --</p> <p>6 (Whereupon, a short recess was taken.)</p> <p>7 MS. KONKOLY: Are we back on the record?</p> <p>8 COURT REPORTER: Yes.</p> <p>9 BY MS. KONKOLY:</p> <p>10 Q I just have one last question for you, which</p> <p>11 is that we spent a lot of time today discussing your</p> <p>12 travels and other statements and allegations in this</p> <p>13 complaint. I understand you believe that you are on a</p> <p>14 watch list. My question for you right now is whether</p> <p>15 you believe there are any other consequences of being</p> <p>16 on that watch list, other than what we've already</p> <p>17 talked about today?</p> <p>18 MS. MASRI: Objection, calls for a legal</p> <p>19 conclusion, calls for speculation. You can ahead and</p> <p>20 answer.</p> <p>21 THE WITNESS: Can you clarify that question</p> <p>22 more? Are you saying if there's anything that makes</p>	<p style="text-align: right;">Page 265</p> <p>1 6th and Jefferson, on 16 Mile Road, and I was being</p> <p>2 followed by one of the cars.</p> <p>3 I went to a neighborhood and stopped, and the</p> <p>4 car was following me stopped behind me. So I got out</p> <p>5 of the car and walked to see who was following me.</p> <p>6 That was the first day I was being followed, and</p> <p>7 walked toward the car and the driver -- by the way, I</p> <p>8 forgot to mention. All the cars that were following</p> <p>9 me were tinted. I cannot see who were driving them.</p> <p>10 So that first day I walked into the car, trying to see</p> <p>11 who's that person that's following me.</p> <p>12 The driver turned, made a turn on the grass</p> <p>13 of one of the houses, just to get away from me so I</p> <p>14 can see who is inside the car. The other time, the</p> <p>15 other incident when I parked, every time I go to work</p> <p>16 they will park across the street, watch every move or</p> <p>17 make sure I'm the person inside the gas station.</p> <p>18 And the other incident they also had with</p> <p>19 these people that's following me, I was in 13th and</p> <p>20 Hoover gas station, where I mentioned earlier I was</p> <p>21 working, and I believe it was the third or fourth day</p> <p>22 I was being followed, and I called the police so I can</p>

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<p>1 have information about these cars that's following me.</p> <p>2 And the cops came to the gas station and</p> <p>3 spoke to me, and I told them about what happened and I</p> <p>4 point out the cars that follow me. I point out which</p> <p>5 one is it across the street. So they called for</p> <p>6 backup and another police came, and I also asked the</p> <p>7 officer to come back and give me a police report. But</p> <p>8 they said they will go find out who it is and then</p> <p>9 come, give me a report that I asked for for the</p> <p>10 record.</p> <p>11 They went, blocked the car and approached the</p> <p>12 car. The driver for that car rolled his window and</p> <p>13 spoke with the officer for about a minute, and then</p> <p>14 the cops got back in their cars, turned off the lights</p> <p>15 and drove away. They never came back, and that's when</p> <p>16 I knew that the cops. I called 911 again and told</p> <p>17 them. They said that will send an officer. They did</p> <p>18 not send the officer again.</p> <p>19 I was even those cars were also realized by</p> <p>20 my family, because this continued for more than a</p> <p>21 week, same cars everywhere I go. My family knew about</p> <p>22 them. They also started naming the cars that's</p>	<p>1 States or face the same issues that me being in the</p> <p>2 watch list.</p> <p>3 Q Okay, and do you remember earlier you</p> <p>4 testified about your brother Moneeb when you traveled</p> <p>5 with him, that he was searched with you and detained</p> <p>6 with you. Do you remember that?</p> <p>7 A Yes.</p> <p>8 Q As far as you know, and only answer what you</p> <p>9 know, do you know whether he has had travel issues</p> <p>10 when he doesn't travel with you?</p> <p>11 A Moneeb does travel a lot. He never mentioned</p> <p>12 any issues of traveling or being searched, other than</p> <p>13 the one he was with me.</p> <p>14 Q Okay, and earlier, opposing counsel asked you</p> <p>15 a question that it was a man. You were describing an</p> <p>16 incident on a plane where a man asked you to move so</p> <p>17 that he could sit next to his daughter, and she said</p> <p>18 that was a pretext. Do you know what a pretext is?</p> <p>19 A No.</p> <p>20 Q Okay, and the last question I want to ask you</p> <p>21 is when you were describing the April 11 incident at</p> <p>22 the border, and you said you were in the room and you</p>
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<p>1 following me. That's all I want to mention, other</p> <p>2 than the story that we talked about.</p> <p>3 MS. KONKOLY: Okay. I don't have anything</p> <p>4 further.</p> <p>5 EXAMINATION BY COUNSEL FOR PLAINTIFFS</p> <p>6 BY MS. MASRI:</p> <p>7 Q I have a few questions. Do you remember</p> <p>8 earlier you had testified that you didn't travel to</p> <p>9 Yemen to see your wife? Do you remember saying that?</p> <p>10 A Yes.</p> <p>11 Q What's the longest time that you know</p> <p>12 approximately that you didn't travel to Yemen to see</p> <p>13 your wife?</p> <p>14 A This was from when I came back from Dubai,</p> <p>15 from Yemen to Dubai and then here. That was my last</p> <p>16 time coming back from Yemen to the United States,</p> <p>17 other than going -- it was approximate, about three to</p> <p>18 four years until the last one I went to, which is in</p> <p>19 2017.</p> <p>20 The reason why I did not go is because I was</p> <p>21 scared in not be able to come back to the United</p> <p>22 States, or not be allowed to come back to the United</p>	<p>1 were lying on the ground and you said you felt</p> <p>2 noxious. What does that mean? What did you mean by</p> <p>3 that?</p> <p>4 A Okay. I always mix up that word, but I mean</p> <p>5 like fell down, knocked out and I did not know what</p> <p>6 happened after that. I know the word I always mix up</p> <p>7 because I always noxious. I don't know how to</p> <p>8 pronounce the right word. I know did not know what</p> <p>9 happened after I knocked out, and all I remember is</p> <p>10 the officer waking me up. That's it.</p> <p>11 MS. MASRI: Okay. No further questions. No</p> <p>12 questions?</p> <p>13 MS. KONKOLY: No, nothing further.</p> <p>14 MS. MASRI: Okay.</p> <p>15 (Witness will read and sign.)</p> <p>16 (Whereupon, at 5:21 p.m., the deposition of</p> <p>17 ANAS ELHADY was concluded.)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>

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<p style="text-align: right;">Page 270</p> <p>CERTIFICATE OF REPORTER</p> <p>I, CASEY SMITH, the officer before whom the foregoing proceeding was taken, do hereby certify that the proceedings were recorded by me and thereafter reduced to typewriting under my direction; that said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.</p> <p style="text-align: center;">  CASEY SMITH REPORTER </p>	<p style="text-align: right;">Page 272</p> <p>TO: Lena Masri Re: Signature of Deponent Anas Elhady Date Errata due back at our offices: April 9, 2018</p> <p>Greetings: The deponent has reserved the right to read and sign. Please have the deponent review the attached PDF transcript, noting any changes or corrections on the attached PDF Errata. The deponent may fill out the Errata electronically or print and fill out manually.</p> <p>Once the Errata is signed by the deponent and notarized, please mail it to the offices of Tiffany Alley (below).</p> <p>When the signed Errata is returned to us, we will seal and forward to the taking attorney to file with the original transcript. We will also send copies of the Errata to all ordering parties.</p> <p>If the signed Errata is not returned within the time above, the original transcript may be filed with the court without the signature of the deponent.</p> <p>Please send completed Errata to: Veritext Production Facility 11539 Park Woods Circle, Suite 302 Alpharetta, GA 30005 (770) 343-9696</p>
<p style="text-align: right;">Page 271</p> <p>CERTIFICATE OF TRANSCRIBER</p> <p>I, Margaret Caraway Holmes, do hereby certify that this transcript was prepared from audio to the best of my ability.</p> <p>I am neither counsel for, related to, nor employed by any of the parties to this action, nor financially or otherwise interested in the outcome of this action.</p> <p>March 8, 2018 Margaret Caraway Holmes</p>	<p style="text-align: right;">Page 273</p> <p>ERRATA for ASSIGNMENT #2825925</p> <p>I, the undersigned, do hereby certify that I have read the transcript of my testimony, and that</p> <p>There are no changes noted. The following changes are noted:</p> <p>Pursuant to Rule 30(7)(e) of the Federal Rules of Civil Procedure and/or OCGA 9-11-30(e), any changes in form or substance which you desire to make to your testimony shall be entered upon the deposition with a statement of the reasons given for making them. To assist you in making any such corrections, please use the form below. If additional pages are necessary, please furnish same and attach.</p> <p>Page ____ Line ____ Change _____</p> <p>Reason for change _____</p> <p>Page ____ Line ____ Change _____</p> <p>Reason for change _____</p> <p>Page ____ Line ____ Change _____</p> <p>Reason for change _____</p> <p>Page ____ Line ____ Change _____</p> <p>Reason for change _____</p> <p>Page ____ Line ____ Change _____</p> <p>Reason for change _____</p>

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22 Sworn to and subscribed before me this ____ day of	
23 _____, _____.	
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25 REPORTER	